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M I N U T E S
OF THE
E V I D E N C E

T A K E N A T
T H E T R I A L

O F

WARREN HASTINGS Esquire,

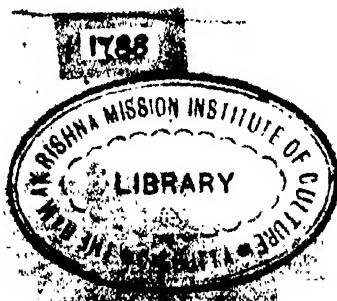
Late Governor General of BENGAL,

At the Bar of the HOUSE OF LORDS, in Westminster Hall,

U P O N

An Impeachment against him for High Crimes and Misdemeanors,
by the Knights, Citizens, and Burgeffes, in Parliament assembled,
in the Name of themselves, and of all the Commons of Great Britain.

MDCCLXXXVIII.



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E R R A T A.

IN the Minutes of Evidence, Page 1326, the Whole of the Ophium Contract should have been entered, instead of the short Extract thereof, read from the Consultation of the 5th June 1781.

The said Contract is as follows :

“ ARTICLES of Agreement indented, had, made, concluded, and fully agreed upon, this Fifth Day of June, in the Year of Christ One thousand seven hundred and eighty-one, between the Governor General and Council of the Presidency of Fort William in Bengal, on the Behalf of the United Company of Merchants of England trading to the East Indies, of the one Part, and Stephen Sullivan of Fort William aforesaid Gentleman, of the other Part, in Manner and Form following ; that is to say,

Mr. Sullivan's
Contract.

“ Whereas it is agreed between the said Stephen Sullivan, and the said Governor General and Council of the Presidency of Fort William on the Behalf of the said United Company, that the said Stephen Sullivan shall supply the said United Company, during the Space of Four Years from the 1st Day of September next, with the several certain annual Quantities of Ophium herein-after mentioned ; that is to say, with Two thousand Maunds $\frac{7}{8}$ Year, to be made at the several Places herein-after mentioned in the Province of Bengal, and Three thousand six hundred and sixty Maunds $\frac{7}{8}$ Year to be made in the Province of Bahar, together with such further Quantities as can be provided in each Year in each of the said Provinces, on being paid for the same at the Rates and Prices herein-after mentioned ; and that an Advance shall be made to the said Stephen Sullivan by the said United Company, at the Commencement of each Year, for Half the Price of the Opium which he is annually to be bound to deliver as is herein-after mentioned ; and that, in case during the Course of the Business in any one Year, the said Stephen Sullivan shall stand in need of greater Advances than the Half of such Amount, that then such further Advances shall be made to him by the said United Company as he shall require, provided the same whole Advances shall not exceed the total Amount of the Opium to be delivered in such Year at the Price contracted for : And also, that the said Stephen Sullivan, in consideration of the said Contract and Agreement so made as aforesaid, and that the said Governor General and Council have agreed to assist and protect the said Stephen Sullivan in the exclusive Right of providing the Opium which can be made in such Provinces aforesaid, as far as they lawfully may or can, shall pay to the said United Company an annual Sum of Ten thousand Sicca Rupees, in such Manner and at such Times as herein-after mentioned. Now these Presents witness, that the said United Company, in consideration of such Sum of Ten thousand Sicca Rupees to be paid as aforesaid, and of the Covenants and Agreements herein-after contained, on the Part and Behalf of the said Stephen Sullivan to be performed and kept, do for themselves, their Successors and Assigns, covenant, promise and agree, to and with the said Stephen Sullivan, his Executors, Administrators and Assigns, that they the said United Company, their Successors and Assigns, shall and will, so far as they lawfully may or can support, maintain and protect him the said Stephen Sullivan, his Executors and Administrators, in the exclusive Privilege of collecting and providing the Opium to be produced within the Provinces or Districts of Bengal and Bahar, for and during the full End and Term of Four Years from the First Day of September next ensuing the Day of the Date of these Presents ; and that he the said Stephen Sullivan, his Executors and Administrators, shall receive from them the said United Company, their Successors and Assigns, all such Support and Assistance in the Premises as has been heretofore usually granted to the former Contractor with the said United Company for Opium within the Provinces or Districts aforesaid, and so far as the said United Company can or may lawfully grant such Support and Assistance in the Premises. And also, that he the said Stephen Sullivan, his Executors and Administrators, shall receive and be paid by or on Behalf of the said United Company, for the Quantity of Three thousand six hundred and sixty Maunds herein-after covenanted by him to be yearly produced and made in the Province of Bahar, the Price or Sum of Ninety-five Sicca Rupees per Maund for every Maund thereof ; and also a further Sum of Two Rupees and an Half $\frac{7}{8}$ Cent. on the net Proceeds of such Opium, at the Medium of the Sales thereof in Calcutta : And also, that he the said Stephen Sullivan, his Executors and Administrators, shall receive and be paid, by or on Behalf of the said United Company, the Sum of Fifty Sicca Rupees for each and every Chest or Two Maunds of Opium, which shall be produced and delivered by him to the said United Company, above the said Quantity of Three thousand six hundred and sixty Maunds, as a Premium, and exclusive of and over and above the said Price or Sum of Ninety-five Sicca Rupees $\frac{7}{8}$ Maund, and Two Rupees and an Half $\frac{7}{8}$ Cent. herein-before mentioned. And also, that for the Two thousand Maunds of Opium herein-after covenanted by him to be yearly produced and made in the several Districts of Boglepore, Havely, Mongheer, Purnea, Rungpore, and Bahar Bund, that the said Stephen Sullivan, his Executors and Administrators, shall receive and be paid, by or on the Part and Behalf of the said United Company, the Price or Sum of One hundred and twenty Sicca Rupees per Maund ; and also, a further Sum of Twelve $\frac{7}{8}$ Cent. upon any Extra-advance to be made by him or them upon all and every such further and other Quantity or Quantities as shall be delivered

delivered by him or them, in each and every Year, over and above the said Quantity of Two thousand Maunds. And further, that he, the said Stephen Sullivan, his Executors and Administrators, shall receive in Advance, and be paid by or on Behalf of the said United Company, One Half Part of the Amount of the Money to become due to him, under and by virtue of these Presents, for the said express Quantity of Five thousand six hundred and sixty Maunds of Opium, so soon after the First Day of September next ensuing the Date of these Presents, and in the early Part of each of the ensuing Years, considering each of such Years to begin in the same Month of September, as the same conveniently may be, together with any such further or larger Sum of Money than such Half Part, if such further Advances during the Course of any Year shall be found necessary, and shall be required by him the said Stephen Sullivan; provided nevertheless, that such Sum of Money so to be further advanced, together with such first Advance to be made to the said Stephen Sullivan, as aforesaid, shall not exceed the Sum of Money which he the said Stephen Sullivan in any one Year will become entitled to under the said Presents, for each Quantity of Opium to be annually delivered as aforesaid. And also that he, the said Stephen Sullivan, his Executors and Administrators, shall receive and be paid the Remainder of such Monies so to become due to him as aforesaid, if the same shall not have been previously advanced, in the several Proportions and Manner following; that is to say, One Fourth Part of the Amount of each Chest, at the Time of the Delivery thereof, manufactured by the said Stephen Sullivan as herein-after mentioned, and the remaining Fourth Part of the whole Amount of the said stipulated Quantity at the Time of the final Adjustment of the Accounts of the said Stephen Sullivan with the said United Company or Governor General and Council, on Account of the Opium to be delivered as herein-before and herein-after is mentioned. And the said Stephen Sullivan, for the Considerations aforesaid, and for other good Causes and Considerations him thereunto moving, doth hereby for himself, his Heirs, Executors and Administrators, covenant, promise and agree, to and with the said United Company of Merchants of England, their Successors and Assigns, in Manner and Form following; that is to say, That he the said Stephen Sullivan, his Executors and Administrators, shall and will, yearly and every Year, that is to say, in the Month of August in each Year, during the Continuance of these Presents (subject nevertheless to such Provisoes as herein-after is contained), well and truly pay or cause to be paid into the Treasury of the said United Company, at Fort William aforesaid, or to such Person or Persons as shall for that Purpose be lawfully authorized and appointed to receive the same, the Sum of Sicca Rupees Ten thousand. And also, that he the said Stephen Sullivan, his Executors and Administrators, shall and will by himself and themselves, and his and their respective Agents, collect, procure, and provide, within such the Provinces and Districts as aforesaid, the full Quantity of Five thousand six hundred and sixty Maunds of Opium of the best Quality, and at least equal to the Quality of the best Opium of the Dutch East India Company, in each and every Year, during the said Four Years; that is to say, Within the said Province of Bahar the said Quantity of Three thousand six hundred and sixty Maunds herein-before mentioned, and in the said several Districts of Boglepore, Havely, Mongheer, Purnea, Rungpore and Baharbund, herein-before mentioned, the further Quantity of Two thousand Maunds; and shall and will procure and provide such further and other Quantity of Opium, of equal good Quality with the Quantity abovementioned, as can or may lawfully and reasonably be collected, procured and provided, within the same Provinces or Districts, and every of them: And also shall and will well and truly deliver, or cause to be delivered, to or on Behalf of the said United Company, unto the Servants of the said United Company, at the Khalsa of the said United Company at Fort William aforesaid, with such Allowances and Contingencies for the Delivery of it as was and are made to John Mackenzie Esquire, for the Opium delivered by the said John Mackenzie Esquire at the Khalsa aforesaid; that is to say, After the Rate of Ten current Rupees for each and every Chest of Opium which shall be delivered from the Province of Bahar, and of Ten current Rupees for each and every Chest of all the Opium which shall be delivered from the Province of Bengal, the Whole and every Part and Parcel of the said Opium to be collected, procured and provided as aforesaid in its crude State; and shall and will well and sufficiently manufacture, and cause and procure such Opium to be manufactured, at such Places respectively, or at any or either of them, under and subject to the Superintendence, Control and Direction of such Person and Persons particularly, as the Governor General and Council shall from Time to Time appoint for that Purpose, free and clear of every Expence, and all Costs and Charges whatsoever (save the several and respective Prices and Sums of Money herein-before covenanted and agreed to be paid him for the same). And the said Stephen Sullivan, for himself, his Heirs, Executors and Administrators, doth further covenant, promise, and agree, to and with the said United Company, that if Default shall be made in the Delivery of the said stipulated Quantity of Three thousand six hundred and sixty Maunds of Bahar Opium, or any Part thereof, yearly and every Year during such Time and Times as herein-before mentioned, that then, and in such Case, he the said Stephen Sullivan, his Executors and Administrators, shall and will well and truly pay, or cause to be paid, unto the said United Company, or to the said Governor General and Council on Behalf of the said United Company, the full and just Sum of Three hundred Sicca Rupees (over and above and exclusive of the Money herein-before covenanted and agreed to be paid him in Advance on Account of each and every such Maund of Opium as aforesaid, and which Advance he will well and truly repay for each and every Chest of Opium which shall be so deficient as aforesaid, and for stated Damages hereby fixed and agreed upon to be paid on Account of any such short Delivery; and also that he the said Stephen Sullivan, his Executors and Administrators, shall and will well and truly pay, or cause to be paid, to the said United Company,



Company, or to the said Governor General and Council for and on Account of the said United Company, the further Sum of Seven hundred and fifty Sicca Rupees for each and every Chest of Opium which he or they shall at any Time during such Four Years as aforesaid sell, barter, or in any Manner, directly or indirectly, dispose of or deliver to any Person or Persons whomsoever other than and except the said United Company, and the Agents and Servants for receiving the same for and on Account of the said United Company; it being the true Intent and Meaning of these Presents, and of the Parties to the same, that no Part of the Opium which can or may be provided by the said Stephen Sullivan, under and by virtue of these Presents, in the Provinces aforesaid, shall be disposed of or delivered to any Person but for and on Account of the said United Company, under any Excuse or Pretence whatsoever. And lastly, the said Stephen Sullivan doth for himself, his Heirs, Executors, and Administrators, further undertake, promise and agree, to and with the said United Company, their Successors and Assigns, that he the said Stephen Sullivan, his Executors, Administrators and Assigns, shall and will well and truly pay, or cause to be paid, unto the said United Company, their Successors and Assigns, such Duties upon all and every Part of such Opium which may happen to be imported by him or them into the said Provinces of Bengal and Bahar, from Ghazipore, the District of the Rajah of Banaras, or the Province * Oude, which are usually paid by all other common Merchant Adventurers or other Persons whatsoever. In Witness whereof, the Honourable Warren Hastings Esquire the Governor General, and Edward Wheler Esquire, Counsellor of the said Presidency of Fort William, to one Part of these Presents, delivered to the said Stephen Sullivan, have set their Hands, and have caused the Common Seal of the said United Company to be affixed; and the said Stephen Sullivan to one other Part thereof, delivered to the said Governor General and Council for the said United Company, hath set his Hand and Seal, the Day and Year first above written. * Sic in Orig.

“ Sealed and delivered,

(Where no Stamps are in Use or to be had)

In the Presence of

Edw^d Wheler.”

In the Appendix, N^o CLXXXIII, Page 951, Line 7, dele []
 Line 10, dele] 

MINUTES of the Evidence taken at the Trial of **WARREN HASTINGS** Esquire, late Governor General of Bengal, at the Bar of the House of Lords in Westminster Hall, upon an Impeachment against him for High Crimes and Misdemeanors, by the Knights, Citizens, and Burgesses, in Parliament assembled, in the Name of themselves, and of all the Commons of Great Britain.

Die Luna, 25^o Februarij 1788.

THE Managers for the Commons having finished their Opening of the First Article, acquainted the House, that, previous to their entering into Proof of the Facts alledged in the said First Article, they would give Evidence of the general Matter stated in the Preamble; after which, they would proceed to call Evidence in support of the several Allegations of the said First Article, as nearly in the Order of the Facts therein stated, as the Nature of the Circumstances would admit; beginning first with general Evidence of the Situation of the Rajah Bulwant Sing, and of the Rajah Cheyt Sing, at the several Times in the said First Article respectively mentioned:

And thereupon they called

THOMAS MORTON, who being sworn, was examined as follows:

Q. What Situation are you in under the East India Company?

A. I am their Secretary.

Q. What Papers are those which you have in your Hands?

A. The Charter of the East India Company under the Great Seal of England, dated 5th September 1698. Anno 10 Gul. III.

The Managers for the Commons desired, that that Part of the Charter might be read which grants to the East India Company a Power to appoint their own Officers and Governors in the East Indies.

Accordingly, the Charter being delivered in at the Table, the following Extract was read by the Clerk.

“ And Wee doe, of Our most especiall Grace, certain Knowledge, and meere Motion, for Us, ^{Skin 21.} Our Heires and Successors, give and grant unto the said English Company trading to the East Indies, that the said Company for the Time being shall and may have the Ordering, Rule, and Government of all such Forts, Factories, and Plantations, as shall be att any Time hereafter settled by or under the said English Company, within the East Indies and Parts before mentioned; and shall and may name and appoint Governours and Officers from Time to Time in and for the said Forts, Factories, and Plantations; and them to remove and displace att their Will and Pleasure. And that such Governours and Officers shall and may, according to the Directions of the same Company, raise, train, and muster, such Military Forces as shall or may be necessary for the Defence of the said Forts, Places, and Plantations respectively, (the Sovereigne Right, Power, and Dominion over all the said Forts, Places, and Plantations, to Us, Our Heires, and Successors, being always reserved).”

Then the Witness was directed to produce the Minutes of the Committee of Correspondence of the East India Company of the 9th April 1771.

The Witness produced a Book, marked with the Letter A, and intituled, “ Minute Book 1770;” which being delivered in, an Extract from a Minute of the Court of Directors, held on Tuesday the 9th April 1771, in Page 498 of the said Book, was read by the Clerk, and is as follows *:

* To avoid Repetition, it may be proper to observe in this Place, that where an Extract only is set forth from a Minute, Consultation, Letter, or other Document produced, it is to be understood as including every Thing in such Minute, Consultation, Letter, or other Document, relative to the Subject Matter of the said Extract.

" Minutes of the Committee of Correspondence, dated the 8th instant and this Day, being read,

" Resolved by the Ballot, That Warren Hastings Esquire, Second of Council at Fort Saint George, be appointed to the same Station in the Council at Fort William, and to succeed to the Government in case of the Death or Absence of John Cartier Esquire."

Then the Witness was asked;

Q. Whether that is, or is not, the usual Mode by which the East India Company appoint their Servants abroad without any other Instrument?

A. Yes.

Q. (from a Lord.) Without any other Instrument?

A. An Instrument follows.

Q. Have you got that Instrument here?

A. The usual Instrument is a Commission under the Company's Seal, which is transmitted to the President and Council at Bengal in the Original.

Q. Have you a Copy of it?

A. There was no Instrument accompanying this Appointment. There is a Paragraph appointing Mr. Hastings to the Government of Bengal in a General Letter of the 10th April 1771.

The Managers for the Commons desired, That the 162d Paragraph of the Letter mentioned by the Witness, of the 10th April 1771, which contains the original Appointment of Warren Hastings Esquire, to be Second of Council at Fort William, and to succeed Mr. Cartier as President and Governor of Bengal, might be read.

The Counsel for the Defendant observed, That in point of Regularity, the Receipt of this Letter in Bengal ought to be first proved.

The Managers for the Commons being heard in answer to this Observation, the Paragraph was ordered to be read *de bene esse*, and not to be considered as Evidence, unless it should appear by some subsequent Letter from Bengal that the Letter of the 10th April 1771, was received there.

Then the Witness produced a Book marked with the Letter B, and intituled, " Bengal Dispatches 23 March 1770, to 10 April 1771;" and the same being delivered in, the 162d Paragraph of a General Letter from the Court of Directors to the President and Council at Fort William in Bengal, dated the 10th of April 1771, beginning in Page 721 of the said Book, was read by the Clerk, and is as follows:

Paragraph 162. " Considering the Importance of the Government of Bengal, and being well persuaded of the Abilities of Warren Hastings Esquire for the due Discharge of the Office of Governor; we do hereby appoint him Second of Council at Fort William, and to succeed Mr. Cartier as President and Governor of Bengal: And we have accordingly directed Mr. Hastings to proceed to Fort William as expeditiously as possible, to take his Seat in Council at your Presidency.

London,
10th April 1771.

Ja. Cockburn,
Daniel Wier,
Wm. James,
John Michie,
Wm. Devaynes,
Robert Gregory,
Benj. Booth,
John Roberts,
Charles Chambers jun.
Pet. Lafcelles.

We are your loving Friends,
G. Colebrooke,
J. Purling,
Thomas Rous,
Henry Crab Boulton,
Frederick Pigou,
Edward Holden Cruttenden,
George Cuming,
Henry Savage,
John Harrilon,

Then the Witness was directed to produce a Letter from the Court of Directors, of the 25th of April 1771.

The Managers for the Commons being asked, if they were apprised whether there was or was not a Commission upon this Occasion, answered, They were apprised that there was no Commission upon this Occasion, nor even any upon the Appointment of Mr. Hastings to the Presidency of Fort William.

Then the Witness produced a Book, marked (C), intituled, " Bengal Dispatches, from the 25th April 1771, to 10th December 1773;" and the same being delivered in, the 4th Paragraph of an additional General Letter from the Court of Directors to the President and Council at Fort William in Bengal, dated 25th April 1771, from Page 3 in the said Book, was read by the Clerk, and is as follows:

" By the before-going Removal of Mr. Becher from the Council, and of Mess. Russell and Floyer to their respective Stations upon the Fort St. George Establishment; and the Appointment of Mr. Hastings (by our Letter of the 20th instant) to succeed Mr. Cartier at your Presidency; and having likewise re-admitted Mess. Rumbold and Dacres into our Service, it becomes necessary to make a new Arrangement of our Council; We therefore direct that, upon the Receipt hereof, it be composed of the following Gentlemen, notwithstanding our Orders of the 23d March 1770, for limiting the Number of Council to Nine Members, exclusive of the Commander in Chief.

" John Cartier Esquire, President and Governor.

Warren Hastings Esquire—Second; and to succeed to the Government, in case of the Death, or coming away of Mr. Cartier.

Brigadier General Sir Robert Barker, Third (or the Commander in Chief for the Time being); but not to rise higher.

Mr. James Alexander,	Fourth.
Thomas Rumbold,	Fifth.
Samuel Middleton,	Sixth.
William Aldersey,	Seventh.
Thomas Kelsall,	Eighth.
John Reed,	Ninth.
Francis Hare,	Tenth.
Joseph Jekyll,	Eleventh.
Philip Milner Dacres,	Twelfth.
Thomas Lane,	Thirteenth.
Richard Barwell,	Fourteenth, and last of Council."

Then the Witness was directed to withdraw.

To prove that, in consequence of the Extracts read from the above-mentioned Letters, Mr. Hastings took his Seat at the Board of Council at Fort William, and acted in virtue thereof, the Managers for the Commons desired Mr. Robert Hudson might be called.

The Managers for the Commons being asked, if it would not be proper that Mr. Cartier's Commission should be read, in order to shew what the Nature and Description of the Authority of the President of the Council at Fort William was; answered, That, if it was thought material, they would produce it To-morrow.

Then Mr. ROBERT HUDSON was called in; and, being sworn, was examined as follows:

Q. What Book do you hold in your Hand?

A. The Bengal Consultations in the Year 1772, as sent to the Court of Directors.

Q. Is that the Correspondence transmitted to the Court of Directors from Bengal?

A. Yes.

The Managers for the Commons desired the Consultation of the 20th February 1772 might be read.

The Witness produced a Book, marked with the Letter D, intituled, "Fort William Consultations, Public Department, from 3d January to 7th April 1772," and indorsed Vol. I.

Then the Witness was asked,

Q. Is the Consultation you are going to read signed?

A. It is signed, Warren Hastings, Richard Barwell,
William Aldersey, Henry Goodwin.
Thomas Lane,

The Managers for the Commons demanded of the Counsel for the Defendant, Whether they would put them upon proving the Defendant's Hand Writing?

To which the Counsel answered, That, in Point of Regularity, the Managers for the Commons ought to prove the Defendant's Hand Writing; but that they would not put them to it.

Then the following Extract was read by the Clerk from the said Book.

" Fort William, 20th Feb. 1772.

" At a Consultation; Present,
The Hon. John Cartier, Esq.

Warren Hastings,	} Esquires. {	Philip M. Dacres,
James Alexander,		Thomas Lane,
William Aldersey,		Richard Barwell,
John Read,		James Lawrell,
		Henry Goodwin.

B

" Mr.

“ Mr. Hastings being arrived, now takes his Seat at the Board, after having the customary Oaths administered.” [Signed, at the End of the Consultation,
 Warren Hastings, Richard Barwell,
 W. Aldersey, H. Goodwin.]
 Tho. Lane,

Q. Have you got the Form of the Oaths in that Book ?

A. It is not in this Book.

Then the Witnesses produced a Book marked with the Letter E, and intituled, “ Beng. Lett. Rec. 30 Aug. 1771, to 24 April 1772 ;” and the same being delivered in, the 9th Paragraph of a General Letter from Bengal, dated the 13th April 1772, to the Court of Directors, was read by the Clerk, and is as follows :

Par. 9. “ In Conformity to your Orders, our late President, Mr. Cartier, this Day resigned the Charge of this Government to Mr. Hastings, and has availed himself of your Permission to remain in the Country until the next Season. We shall be careful that, during his Stay, every Respect and Attention be paid to him, according to your Orders.

	Signed,	Warren Hastings,
		Wm. Aldersey,
		P. M. Dacres,
		Thomas Lane,
		Richard Barwell,
		James Lawrell,
		H. Goodwin,
		J. Graham.”
Fort William,		
the 20th April 1772.		

Then the Witnesses was directed to withdraw.

To prove the Appointment of a Governor General and Council for the Government of the Presidency of Fort William in Bengal, by an Act passed in the 13th Year of His present Majesty, the Mode of Decision prescribed by the said Act, in case of a Difference of Opinion of the said Governor General and Council, the Powers thereby given to the said Governor General and Council, and that Warren Hastings Esq. was, by the said Act, nominated to be the First Governor General of the said Presidency of Fort William, the Managers for the Commons desired the Stat. 13 Geo. III, Cap. 63, Sect. 7, 8, 9, 10, might be read. The same was accordingly read at the Table by the Clerk, as follows :

“ An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe.

Sect. 7. “ And for the better Management of the said United Company's Affairs in India, be it further enacted by the Authority aforesaid, That, for the Government of the Presidency of Fort William in Bengal, there shall be appointed a Governor General and Four Counsellors ; and that the whole Civil and Military Government of the said Presidency, and also the Ordering, Management and Government of all the Territorial Acquisitions and Revenues in the Kingdoms of Bengal, Bahar, and Orissa, shall, during such Time as the Territorial Acquisitions and Revenues shall remain in the Possession of the said United Company, be, and are hereby veited in the said Governor General and Council of the said Presidency of Fort William in Bengal, in like Manner, to all Intents and Purposes whatsoever, as the same now are, or at any Time heretofore might have been exercised by the President and Council, or Select Committee, in the said Kingdoms.

Sect. 8. “ And be it enacted by the Authority aforesaid, That in all Cases whatsoever, wherein any Difference of Opinion shall arise upon any Question proposed in any Consultation, the said Governor General and Council shall be bound and concluded by the Opinion and Decision of the major Part of those present ; and if it shall happen that, by the Death or Removal, or by the Absence of any of the Members of the said Council, such Governor General and Council shall happen to be equally divided, then, and in every such Case, the said Governor General, or, in his Absence, the eldest Counsellor present, shall have a casting Voice, and his Opinion shall be decisive and conclusive.

Sect. 9. “ And be it further enacted by the Authority aforesaid, That the said Governor General and Council, or the major Part of them, shall have, and they are hereby authorized to have, Power of superintending and controuling the Government and Management of the Presidencies of Madras, Bombay, and Bencoolen respectively, so far, and inasmuch as that it shall not be lawful for any President and Council of Madras, Bombay, or Bencoolen, for the Time being, to make any Orders for commencing Hostilities, or declaring or making War, against any Indian Princes or Powers, or for negotiating or concluding any Treaty of Peace, or other Treaty, with any such Indian Princes or Powers, without the Consent and Approbation of the said Governor General and Council first had and obtained, except in such Cases of imminent Necessity as would render

render it dangerous to postpone such Hostilities or Treaties until the Orders from the Governor General and Council might arrive; and except in such Cases where the said Presidents and Councils respectively shall have received special Orders from the said United Company; and any President and Council of Madras, Bombay, or Bencoolen, who shall offend in any of the Cases aforesaid, shall be liable to be suspended from his or their Office by the Order of the said Governor General and Council; and every President and Council of Madras, Bombay, and Bencoolen, for the Time being, shall, and they are hereby respectively directed and required to pay due Obedience to such Orders as they shall receive touching the Premises from the said Governor General and Council for the Time being, and constantly and diligently to transmit to the said Governor General and Council Advice and Intelligence of all Transactions and Matters whatsoever that shall come to their Knowledge, relating to the Government, Revenues, or Interest of the said United Company; and the said Governor General and Council for the Time being shall, and they are hereby directed and required to pay due Obedience to all such Orders as they shall receive from the Court of Directors of the said United Company, and to correspond from Time to Time, and constantly and diligently transmit to the said Court, an exact Particular of all Advices or Intelligence, and of all Transactions and Matters whatsoever, that shall come to their Knowledge, relating to the Government, Commerce, Revenues, or Interest of the said United Company; and the Court of Directors of the said Company, or their Successors, shall, and they are hereby directed and required, from Time to Time, before the Expiration of Fourteen Days after the receiving any such Letters or Advices, to give in, and deliver unto the High Treasurer, or Commissioners of his Majesty's Treasury for the Time being, a true and exact Copy of such Parts of the said Letters or Advices as shall any way relate to the Management of the Revenues of the said Company; and in like manner to give in, and deliver to one of his Majesty's principal Secretaries of State for the Time being, a true and exact Copy of all such Parts of the said Letters or Advices as shall any way relate to the Civil or Military Affairs and Government of the said Company; all which Copies shall be fairly written, and shall be signed by Two or more of the Directors of the said Company.

SECT. 10. " And it is hereby further enacted, That Warren Hastings Esquire, shall be the first Governor General; and that Lieutenant-General John Clavering, the Honourable George Monson, Richard Barwell Esquire, and Philip Francis Esquire, shall be the Four first Counsellors; and they, and each of them, shall hold and continue in his and their respective Offices, for and during the Term of Five Years, from the Time of their Arrival at Fort William in Bengal, and taking upon them the Government of the said Presidency, and shall not be removable in the mean Time, except by his Majesty, his Heirs and Successors, upon Representation made by the Court of Directors of the said United Company for the Time being; and in case of the Avoidance of the Office of such Governor General by Death, Resignation, or Removal, his Place shall, during the Remainder of the Term aforesaid, as often as the Case shall happen, be supplied by the Person of the Council who stands next in Rank to such Governor General; and in case of the Death, Removal, Resignation, or Promotion of any of the said Council, the Directors of the said United Company are hereby empowered, for and during the Remainder of the said Term of Five Years, to nominate and appoint, by and with the Consent of his Majesty, his Heirs and Successors, to be signified under his or their Sign Manual, a Person to succeed to the Office so become vacant in the said Council; and until such Appointment shall be made, all the Powers and Authorities vested in the Governor General and Council, shall rest and continue in, and be exercised and executed by the Governor General and Council remaining and surviving; and from and after the Expiration of the said Term of Five Years, the Power of nominating and removing the succeeding Governor General and Council shall be vested in the Directors of the said United Company."

To prove that Mr. Hastings afterwards took the Oaths in the usual Form, the Managers for the Commons desired Mr. ROBERT HUDSON might be again called in; who appearing, produced a Book, intituled, " Fort William Council Proceedings, from 20th Oct. to the 28th Dec. 1774;" and the same being delivered in, the following Extract was read by the Clerk.

" Fort William, 24th Oct. 1774.

Pub. Dep.
Monday.

" At a Consultation; Present,
The Hon. Warren Hastings Esq. Governor General, President;
Lieut. Gen. John Clavering,
The Hon. George Monson,
Richard Barwell, } Esqrs.
Philip Francis, }

" Mr. Barwell being come down to the Presidency, takes his Seat as Member of the Council.

Mr. Barwell
arrives.

" The Book of standing Orders upon the Table.

" Read and approved the Consultation of the 20th instant.

" The Oaths of Allegiance, of Office, and of a Justice of the Peace, being prepared in the usual Form, are now taken by each of the Members of this Board respectively."

Oaths admi-
nistered.

To

To prove that certain Provisions in the Stat. 13 Geo. III, c. 63, which were made for a limited Time only, were continued, revived, and further continued, by several subsequent Acts, the Managers for the Commons desired the Stat. 19 Geo. III, c. 61, sect. 5, might be read. The same was read at the Table by the Clerk, as follows :

“ An Act for continuing in the Possession of the United Company of Merchants of England trading to the East Indies, for a limited Time, and under certain Conditions, the Territorial Acquisitions and Revenues lately obtained in the East Indies ; and for continuing, for a limited Time, so much of an Act made in the Thirteenth Year of the Reign of his present Majesty, intituled, ‘ An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe,’ as will expire in the Course of the present Year.

Sect. 5. “ And whereas by another Act, passed in the same Session of Parliament, intituled, ‘ An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe,’ it was, among other Things, enacted, That for the Government of the Presidency of Fort William, in Bengal, there should be appointed a Governor General and Four Counsellors ; and that the whole Civil and Military Government of the said Presidency, and also the Ordering, Management, and Government of all the Territorial Acquisitions and Revenues in the Kingdoms of Bengal, Bahar, and Orissa, should, during such Time as the Territorial Acquisitions and Revenues should remain in the Possession of the said United Company, be vested in the said Governor General and Council of the said Presidency of Fort William in Bengal ; and also that the Governor General and Four First Counsellors, appointed by the said Act, should each of them hold and continue in his and their respective Offices for and during the Term of Five Years, from the Time of their Arrival at Fort William in Bengal, and taking upon them the Government of the said Presidency, and should not be removeable in the mean Time, except by his Majesty, his Heirs and Successors, upon Representation made by the Court of Directors for the said United Company for the Time being : And whereas it may be expedient that the said Regulations should be extended to the Person and Persons who, at the Time of passing this Act, shall have and enjoy the respective Offices of Governor General and Counsellors of the said Presidency ; be it therefore enacted by the Authority aforesaid, That the Person and Persons who, at the Time of the passing of this Act, shall have and enjoy the Office and Offices of Governor General and Counsellors of the said Presidency, shall hold and continue in his and their respective Offices, for and during the Continuance of this Act, and shall not be removeable in the mean Time, except by his Majesty, his Heirs and Successors, upon Representation made by the Court of Directors for the said United Company for the Time being ; and shall have and enjoy all and singular the Powers and Authorities vested by the said Act in the First Governor General, and Four First Counsellors, by the said Act appointed, and shall be subject to the said Restrictions and Limitations as by the said Act the First Governor General, and First Four Counsellors, were made subject ; and that in case of the Avoidance of the Offices of such Governor General, or any of the said Counsellors, such Office shall be respectively supplied in the same Manner as the same Office would by the said Act have been supplied during the Remainder of the Term of Five Years, which was computed from the Time that the First Governor General, and Four First Counsellors, took upon them the Government of the said Presidency.”

Also the Stat. 20 Geo. III. Cap. 56. Sect. 5. And the same was read as follows :

“ An Act for continuing in the Possession of the United Company of Merchants of England trading to the East Indies, for a further Time, and under certain Conditions, the Territorial Acquisitions and Revenues lately obtained in the East Indies ; and for reviving, and continuing for a further Time, so much of an Act made in the Thirteenth Year of the Reign of his present Majesty, (intituled, ‘ An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe),’ as hath expired in the Course of the present Year ; and for indemnifying the said Company for any Money they have paid, or may pay, in or about the building of Three Ships of the Line for the Service of the Publick.

Sect. 5. “ And whereas, by another Act passed in the same Session of Parliament, (intituled, ‘ An Act for establishing certain Regulations, for the better Management of the Affairs of the East India Company, as well in India as in Europe),’ it was, among other Things, enacted, That, for the Government of the Presidency of Fort William in Bengal, there should be appointed a Governor General and Four Counsellors, and that the whole Civil and Military Government of the said Presidency, and also the Ordering, Management, and Government of all the Territorial Acquisitions and Revenues in the Kingdoms of Bengal, Bahar, and Orissa, should, during such Time as the Territorial Acquisitions and Revenues should remain in the Possession of the said United Company, be vested in the said Governor General and Council of the said Presidency of Fort William in Bengal ;

gal; and also that the Governor General and Four first Counsellors appointed by the said Act should each of them hold and continue in his and their respective Offices for and during the Term of Five Years, from the Time of their Arrival at Fort William in Bengal, and taking upon them the Government of the said Presidency, and should not be removeable in the mean Time, except by his Majesty, his Heirs and Successors, upon Representation made by the Court of Directors for the said United Company for the Time being: And whereas it may be expedient that the said Regulation should be revived, and extended to the Person and Persons who, at the Time of passing this Act, should have and enjoy the respective Offices of Governor General and Counsellors of the said Presidency; be it therefore enacted by the Authority aforesaid, That the Person and Persons who, at the Time of the passing of this Act, shall have and enjoy the Office and Offices of Governor General and Counsellors of the said Presidency, shall hold and continue in his and their respective Offices, for and during the Continuance of this Act, and shall not be removeable in the mean Time, except by his Majesty, his Heirs and Successors, upon Representation made by the Court of Directors for the said United Company for the Time being, and shall have and enjoy all and singular the Powers and Authorities vested (by the said Act in the First Governor General and Four First Counsellors by the said Act appointed, and shall be subject to the said Restrictions and Limitations, as by the said Act the First Governor General and First Four Counsellors were made subject; and that in case of the Avoidance of the Offices of such Governor General, or any of the said Counsellors, such Office shall be respectively supplied in the same Manner as the same Office would by the said Act have been supplied during the Remainder of the Term of Five Years, which was computed from the Time that the First Governor General and Four First Counsellors took upon them the Government of the said Presidency."

Also the Stat. 21 Geo. III. Cap. 65. Sect. 35. And the same was read as follows :

" An Act for the establishing an Agreement with the United Company of Merchants of England trading to the East Indies, for the Payment of the Sum of Four hundred thousand Pounds, for the Use of the Publick, in full Discharge and Satisfaction of all Claims and Demands of the Publick, from the Time the Bond Debt of the said Company was reduced to One million five hundred thousand Pounds, until the First Day of March One thousand Seven hundred and Eighty-one, in respect of the Territorial Acquisitions and Revenues lately obtained in the East Indies; and also for securing to the Publick, in respect thereof, for a Term therein mentioned, a certain Part or Proportion of the clear Revenues and Profits of the said Company; and for granting to the said Company, for a further Term, the sole and exclusive Trade to and from the East Indies, and Limits therein mentioned; and for establishing certain Regulations for the better Management of the Affairs of the said Company, as well in India as in Europe, and the recruiting the Military Forces of the said Company.

Sect. 35. " And whereas, by another Act passed in the Thirteenth Year of his present Majesty, intituled, An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe, it was among other Things enacted, That for the Government of the Presidency of Fort William in Bengal there should be appointed a Governor General and Four Councillors, and that the whole Civil and Military Government of the said Presidency, and also the Ordering, Management, and Government of all the Territorial Acquisitions and Revenues in the Kingdom of Bengal, Bahar, and Orissa, should, during such Time as the Territorial Acquisitions and Revenues should remain in the Possession of the said United Company, be vested in the said Governor General and Council of the said Presidency of Fort William in Bengal; and also that the Governor General and Four First Councillors appointed by the said Act should each of them hold and continue in his and their respective Offices for and during the Term of Five Years, from the Time of their Arrival at Fort William in Bengal, and taking upon them the Government of the said Presidency, and should not be removeable in the mean Time, except by his Majesty, his Heirs and Successors, upon Representation made by the Court of Directors for the said United Company for the Time being; and in case of the Avoidance of the Office of such Governor General by Death, Resignation, or Removal, his Place should, during the Remainder of the Term aforesaid, as often as the Case should happen, be supplied by the Person of the Council who should stand next in Rank to such Governor General; and in case of the Death, Removal, Resignation, or Promotion of any of the said Council, the Directors of the said United Company were thereby impowered, for and during the Remainder of the said Term of Five Years, to nominate and appoint, by and with the Consent of his Majesty, his Heirs and Successors, to be signified as therein is mentioned, a Person to succeed to the Office so become vacant in the said Council; and until such Appointment should be made, all the Powers and Authorities vested in the Governor General and Council, should rest and continue in, and be exercised and executed by the Governor General and Council remaining and surviving: And whereas it may be expedient that certain Parts of the said recited Act which are expired should be revived and continued, subject to such Variations as herein-after are mentioned; be it therefore enacted by the Authority aforesaid, That the Person and Persons who at the Time of the passing

of this Act shall have and enjoy the Office and Offices of Governor General and Councillors of the said Presidency, shall hold and continue in his and their respective Offices for and during the Continuance of this Act, and shall not be removeable in the mean Time, except by his Majesty, his Heirs and Successors, upon Representation made by the Court of Directors for the said United Company for the Time being; and shall have and enjoy all and singular the Powers and Authorities vested by the said Act in the First Governor General and Four First Councillors by the said Act appointed, and shall be subject to the same Restrictions and Limitations as by the said Act the First Governor General and First Four Councillors were made subject; and that in case of the Avoidance of the Offices of such Governor General, or any of the said Councillors, such Office shall be respectively supplied in the same Manner as the same Office would by the said Act have been supplied during the Remainder of the Term of Five Years, which was computed from the Time that the First Governor General and Four First Councillors took upon them the Government of the said Presidency."

The Managers for the Commons also referred to the Stat. 24 Geo. III. c. 25. and Stat. 26 Geo. III. c. 16. but did not desire the same to be read.

Then the Managers for the Commons stated, that having, for the Sake of Regularity, gone through the several Matters contained in the Preamble of the Charge, although the same are admitted by the Defendant in his Answer, they would next proceed to prove the several Facts alledged in the First Article.

It was suggested to them by the House, whether it would not be better, for the Sake of Clearness, that they should first produce the Instrument by which the President of Fort William was appointed, in order to shew what his Authority as President was, and then apply the Stat. 13 Geo. III. c. 63. to it, that Statute making express

* Vide Sect. 7. Reference to such his Authority as President *.

The Managers for the Commons said, they meant to have proceeded in that Manner, but that the Book which contained the Instrument was left by Mistake at the India House, and that they would produce it the first Thing To-morrow Morning.

To prove the Situation of Bulwant Sing in the Year 1764, and that the Object of the then President and Council was to make a Treaty, by which Bulwant Sing was to be made independent, Mr. ROBERT HUDSON was again called; and produced a Book marked No. 37, and intituled, "BENGAL SELECT CONSULT. 8 Dec. 1763, to 31 Dec. 1764;" and the same being delivered in, the following Extract was read by the Clerk, beginning at Page 111.

"Fort William, 29th March 1764.

Sec. Dep.
Thursday.

"At a Consultation; Present,
The Honourable Henry Vanfittart Esquire, President;
Commodore Tinker,
Warren Hastings Esquire,
Randolph Marriott Esquire,
John Burdett Esquire,
Messrs. Middleton and Leycester indisposed.

Mr. Tinker
takes his Seat
at this Consultation.

"The Commodore having been requested to assist at this Consultation, now takes his Seat at the Board.

"The Book of Standing Orders on the Table.

"The Consultation of the 26th instant being wrote fair, was now read and approved.

Major Carnac's Letter,
J. L. R. No. 33.

"Received a Letter from Major Carnac, dated 18th instant, enclosing one he has received from Shitabroy, to which he refers us for Information of Shuja Dowla's Intention against us, and expressing his Concern to find that by the Advices from Calcutta of the 8th, the Reinforcement under the Command of Captain Pemble had not yet begun their March, that their being so late renders it next to impossible for them to join him in Time, and that he must therefore put every Thing to Risk with the Force he has at present, however little to be depended on, after what has passed; further advising us, that he would fain cross the Carumnassa, and give the Enemy a Meeting as far as possible from the Boundary; but that he fears the Distress they are in for Provisions, being only supplied from Day to Day, will not permit his doing so, and that he shall be obliged to keep close by the Ganges to secure a Conveyance by Water, having had Intimation that the Enemy's Design was to hover at a Distance around them, and endeavour to cut off their Supplies—That a Treaty of Alliance has been some Time in Agitation between the Nabob and Bulwant Sing the Rajah of Benares. That the Nabob is now very anxious † for its being brought to a Conclusion,

† Sic in Orig.

and

and proposed to him that Evening setting his Seal thereto on the Part of the English, without which the Rajah will not enter into any Engagement. That he shall be very unwilling to take a Step of such a Nature, without first knowing whether it be agreeable to us; but that the present Exigency will not admit the Delay of waiting our Answers.

“ A Translation of Shitabroy's Letter to the Major being here read,
“ Ordered it be entered in the Books of Country Correspondence.

Translation of
Shitabroy's
Letter en-
closed, read
and entered.

“ Having duly considered this Letter of Major Carnac's, we are unanimously of Opinion, that as Shuja Dowla has now openly espoused the Cause of Cossim Aly Cawn, and encourages his Design of an Invasion into Bengal, we can entertain no further Thoughts of entering into a Treaty with him. On the contrary, we think it our Duty to form against him all the Enemies we possibly can; that the proposed Alliance with Bulwant Sing will therefore be a very proper Measure, and prove as well now, as in all Time to come, a strong Barrier and Defence to the Bengal Provinces.

The Major's
Letter con-
sidered, with
the Opinion
of the Board
on the Ad-
vices contain-
ed therein.

“ Agreed therefore, that we write to Major Carnac, advising him that we shall approve entirely of his entering into the intended Treaty in Concert with the Nabob, and of his engaging to protect and maintain Bulwant Sing independent, both now and hereafter.”

And answered,
J. L. S. No. 37.

To prove the Allegation in the Charge, “ that the Court of Directors were of Opinion, “ that the Rajah Bulwant Sing was of signal Service to the Affairs and Interests of Great Britain * ;”

The Witness produced a Book marked with the Figure 2, and intituled, “ Bengal Dispatches 17th May 1766, to 16th March 1768.”—Read the following Extracts (p. 65 of the same Book) from “ The Company's Letter to the President and Select Committee at Fort William in Bengal,” dated London, 17th May 1766.

* Vide printed
Articles, p. 1,
par. 1.

Charles Chambers,
J. Pardoe,
Jof. Du Pré,
Thomas Saunders,
George Cuming,
John Harrison,
J. Purling,
John Roberts,
Peter Du Cane sen.
George Wombwell,
Robert Jones,

Signed, at the End of the Letter,
Geo. Sudley,
Tho. Rous,
John Stephenson,
Charles Cutts,
Henry Savage,
Christopher Baron,
Frederick Pigou,
F. W. Barrington,
Edward Wheler,
Luke Scrafton,
E. H. Cruttenden,

Par. 6. “ From the Sentiments we expressed in every one of our late Letters, you will easily judge the great Pleasure it gave us to see the War with Souja Dowla ended so conformable to our Wishes. We always esteemed the Power of that Soubah the strongest Barrier we could have against the Invasions of the Northern Powers and of the Morattas, which have so long laid desolate the Northern Provinces; and had the impolitick, injudicious Views of our late Governor and Council been followed, and the King or Nudjief Cawn been left in Possession of Souja Dowla's Country, we are convinced they would not have had Weight and Abilities to have supported themselves; and we must either have had their Wars to maintain at that immense Distance, or they would have been drove back on us, and brought the War down to our own Frontiers, or even into our own Provinces. Nothing could so effectually restore that Country to its former State, as putting its natural Prince in the full Possession of his Dominions; and we are equally pleased to see the Care that has been taken of all those who shewed their Attachment to us in the Course of the War; Bulwant Sing's joining us at the Time he did was of signal Service, and the Stipulation in his Favour was what he was justly entitled to.

Per Mercury
and overland.

Par. 7. “ Equally politick and prudent are the Concessions in favour of the King, whose Interest was best considered by the restoring Souja Dowla to his Country, the only Soubah in Indostan who is ever likely to support him in his Pretensions to the Empire. The Revenue agreed to be paid him must be, in the Eyes of the Indian Powers, a Mark of our Respect to the Royal Blood, and an Acknowledgement of his Right. We approve also the being Guarantee for Nudjief Cawn; and finally we hope the Moderation and the Attention paid to all those who have espoused our Interest in this War, will restore our Reputation in Indostan, and that the Indian Powers will be convinced no Breach of Treaty will ever have our Sanction.”

Then the Witness produced a Treaty between the Nabob Shujah ul Dowlah, the Nabob Nudjum ul Dowlah, and the English Company, executed at Illahabad the 16th of August 1765; and the same being delivered in, was read by the Clerk, and is as follows:

Sha L. S. Aalum.

[On this Side is the Persian].

"Whereas the Right Honourable Robert Lord Clive, Baron Clive of Plassey, Knight Companion of the most Honourable Order of the Bath, Major General and Commander in Chief of the Forces, President of the Council, and Governor of Fort William, and of all the Settlements belonging to the United Company of Merchants of England trading to the East Indies, in the Provinces of Bengal, Bahar, and Orissa, and John Carnac Esquire, Brigadier General, Colonel in the Service of the said Company, and Commanding Officer of their Forces upon the Bengal Establishment, are invested with full and ample Powers, on the Behalf of his Excellency the Nabob Nudjum ul Dowla, Subadar of Bengal, Bahar, and Orissa, and likewise on the Behalf of the United Company of Merchants of England trading to the East Indies, to negotiate, settle, and finally to conclude a firm and lasting Peace with his Highness the Nabob Shuja ul Dowla, Vizier of the Empire: Be it known to all those to whom it may or shall in any Manner belong, that the abovenamed Plenipotentiaries have agreed upon the following Articles with his Highness.

I.

A perpetual and universal Peace, sincere Friendship, and firm Union, shall be established between his Highness Shuja ul Dowla and his Heirs on the One Part, and his Excellency Nudjum ul Dowla, and the English East India Company, on the other; so that the said contracting Powers shall give the greatest Attention to maintain between themselves, their Dominions, and their Subjects, this reciprocal Friendship, without permitting on either Side any Kind of Hostilities to be committed from henceforth for any Cause, or under any Pretence whatsoever; and every Thing shall be carefully avoided which might hereafter prejudice the Union now happily established.

II.

In case the Dominions of his Highness Shujah ul Dowla shall at any Time hereafter be attacked, his Excellency Nudjum ul Dowla and the English Company shall assist him with a Part or the Whole of their Forces, according to the Exigency of his Affairs, and so far as may be consistent with their own Security: And if the Dominions of his Excellency Nudjum ul Dowla, or the English Company, should be attacked, his Highness shall in like Manner assist them with a Part or the Whole of his Forces: In the Case of the English Company's Forces being employed in his Highness's Service, the extraordinary Expence of the same is to be defrayed by him.

III.

His Highness solemnly engages never to entertain or receive Cossim Aly Cawn, the late Subadar of Bengal, &c. Sumbroo, the Assassin of the English, nor any of the European Deserters, within his Dominions, nor to give the least

least Countenance, Support, or Protection to them: He likewise solemnly engages to deliver up to the English whatever Europeans may in future desert from them into his Country.

IV.

The King Shah Aalum shall remain in full Possession of Cora, and such Part of the Province of Illahabad as he now possesses, which are ceded to his Majesty, as a royal Demesne, for the Support of his Dignity and Expences.

V.

[His Highness Shujah ul Dowla engages in the most solemn Manner, to continue Bulwund Sing in the Zemindarries of Benares, Gazypore, and all those Districts he possessed at the Time he came over to the late Nabob Jaffier Aly Cawn and the English, on Condition of his paying the same Revenue as heretofore.]

VI.

In consideration of the great Expence incurred by the English Company carrying on the late War, his Highness agrees to pay them Fifty Lacks of Rupees, in the following Manner; viz. Twelve Lacks in Money, and a Deposit of Jewels to the Amount of Eight Lacks, upon the signing of this Treaty; Five Lacks One Month after; and the remaining Twenty-five Lacks by monthly Payments; so as that the Whole may be discharged in Thirteen Months from the Date hereof.

VII.

It being firmly resolved to restore to his Highness the Country of Benares, and the other Districts now rented by Bulwund Sing, notwithstanding the Grant of the same from the King to the English Company, it is therefore agreed, that they shall be ceded to his Highness in the Manner following, viz. They shall remain in the Hands of the English Company, with their Revenues, till the Expiration of the Agreement between Bulwund Sing and the Company, being on the 27th of November next; after which his Highness shall enter into Possession, the Fort of Chunar excepted, which is not to be evacuated until the Sixth Article of this Treaty be fully complied with.

VIII.

His Highness shall allow the English Company to carry on a Trade, Duty-free, throughout the Whole of his Dominions.

IX.

All the Relations and Subjects of his Highness, who in any Manner assisted the English during the Course of the late War, shall be forgiven, and no ways molested for the same.

X.

As soon as this Treaty is executed, the English Forces shall be withdrawn from the Dominions

It may be proper to observe here, that where any Paragraph or Extract in a Consultation, Minute, Letter, or other Document produced, is marked with this Bracket [, and a Hand pointing to it, it is to denote that such Paragraph or Extract was the particular and only Matter referred to by the Managers for the House of Commons in such Consultation, Minute, Letter, or other Document: And where this Bracket] appears either in the Middle or End of a Paragraph or Extract, it is to denote that the Matter so particularly referred to by the Managers for the Commons leaves off there.

nions of his Highness, excepting such as may be necessary for the Garrison of Chunar, or for the Defence and Protection of the King, in the City of Illahabad, if his Majesty should require a Force for that Purpose.

XI.

His Highness the Nabob Shujah ul Dowla, his Excellency the Nabob Nudjum ul Dowlah, and the English Company, promise to observe sincerely and strictly all the Articles contained and settled in the present Treaty, and they will not suffer the same to be infringed, directly or indirectly, by their respective Subjects; and the said contracting Powers generally and reciprocally guarantee to each other all the Stipulations of the present Treaty.

Clive

(L. S.)

John Carnac

(L. S.)

Signed, sealed, and solemnly sworn to, according to their respective Faiths, by the contracting Parties, at Illahabad, this 16th Day of August, in the Year of our Lord 1765, in the Presence of us,

Edmund Maskelyne.

Archibald Swinton.

George Vansittart.

Shujah (L. S.) ul Dowla's Seal and Ratification.

Mirza Cossim Khan.

Rajah Shitabroy.

Meer Musshala.

The Counsel for the Defendant observed, that in the *Fifth* Article of the Treaty just read, the Word "Revenue" was used; and desired to draw the Attention of the House to the Word "Malguzary," which would afterwards occur in the Sunnuds granted to the Rajah Bulwant Sing, and which was there used as descriptive of the particular Sort of Revenue paid by the said Rajah to Shujah ul Dowlah. That the Original was in the Persian on one Side of the Instrument, and the Translation on the other.

The Managers for the Commons stated, that the Fifth Article which had been read from the English, was not read as a Translation. That the Treaty was written both in English and in Persian; that both Parts were Originals, both executed at the same Time, and they chose to read the English Original.

Then Mr. JOHN BENSON was called in, and being sworn, was desired to produce the original Petition of Warren Hastings Esquire, presented to the House of Commons on the 26th April 1786; and the same being delivered in, was read by the Clerk, as follows.

" To the Honourable the Commons of Great Britain in Parliament assembled.

" The humble Petition of Warren Hastings, late Governor General of Bengal,

" Sheweth,

" That your Petitioner observes, by the Votes of this Honourable House of the 4th and 12th Days of this instant April, that ' Mr. Burke, in his Place, has charged your Petitioner with sundry high Crimes and Misdemeanours to this Honourable House; which Articles are referred to the Consideration of a Committee of the whole House.'

" Your Petitioner, therefore, humbly prays this Honourable House, that he may be heard, in his Defence, to the said Articles, and that he may be allowed a Copy of the same.

" And your Petitioner, as in Duty bound, shall ever pray.

WARREN HASTINGS."

Then the Witness produced the Journal of the House of Commons of the 26th April 1786, and the following Entry was read therefrom.

" Mercurii, Die 26^a Aprilis, Anno 26^o Georgii III. Regis, 1786.

" And a Motion being made, and the Question being proposed, That the said Warren Hastings Esquire be permitted to be heard on the Matter of the said Charges, and that he be allowed a Copy of the same ;

" The House was moved, That the several Entries, in the Journal of the House, of the 20th, 23th, and 26th Days of November 1680, of the Proceedings of the House on the Articles of Impeachment of High Crimes, Misdemeanors, and Offences, delivered in against Edward Seymour Esquire, might be read.

" And the same being read accordingly ;

" Ordered,

" That the said Warren Hastings Esquire be permitted to be heard on the Matter of the said Charges, and that he be allowed a Copy of the same."

Then the following Entry from the same Journal was read.

" Luna, 1^a Die Maij, Anno 26^o Georgii III. Regis, 1786.

" The other Order of the Day being read ;

" Warren Hastings Esquire, late Governor General of Bengal, was called in to the Bar, and, in Part, heard on the Matter of the several Charges of High Crimes and Misdemeanors presented against him.

" And then he was directed to withdraw."

Then the following Entry from the same Journal was read.

" Martis, 2^a Die Maij, Anno 26^o Georgii III. Regis, 1786.

" Ordered,

" That the Order of the Day, for the further Hearing of Warren Hastings Esquire, late Governor General of Bengal, on the Matter of the several Charges of High Crimes and Misdemeanors presented against him, be now read.

" And the said Order being read accordingly ;

" The said Warren Hastings Esquire was called in to the Bar, and further heard on the Matter of the said Charges ; and having requested that he might have Permission to deliver in the Minutes, from which he read what he had now offered to the House.

" The said Warren Hastings Esquire was directed to withdraw.

" Resolved,

" That the said Warren Hastings Esquire be at Liberty, according to his Request, to deliver in the Minutes from which he read what he has now offered to the House upon the Matter of the said several Charges of High Crimes and Misdemeanors presented against him.

" The said Warren Hastings Esquire was again called in to the Bar ; and Mr. Speaker acquainted him with the said Resolution.

" Then the said Warren Hastings Esquire having delivered in the said Minutes, the same were brought up to the Clerk's Table.

" And then he was again directed to withdraw."

Then the Witness produced the original Petition of Warren Hastings Esquire, presented to the House of Commons 8th May 1786 ; and the same was read, and is as follows :

" To the Honourable the Commons of Great Britain in Parliament assembled.

" Sheweth,
" The humble Petition of Warren Hastings, late Governor General of Bengal,

" That your Petitioner observes, by the Votes of this Honourable House, that on the 5th of this instant May, Mr. Burke, in his Place, delivered in an Article of Charge of High Crimes and Misdemeanors, against your Petitioner.

" Your Petitioner humbly prays this Honourable House, that he may be furnished with a Copy of the said Charge, and that he may be permitted to be heard on the Matter of the said Charge, in such Manner as this Honourable House shall be pleased to direct.

WARREN HASTINGS."

Then the following Order made by the House of Commons thereupon was read from the Journal.

" Luna,

" *Luna*, 8^o *Die Maij*, *Anno* 26^o *Georgii* III. *Regis*, 1786.

" Ordered,

" That the said Warren Hastings, Esquire, be permitted to be heard on the Matter of the said Charge, and that he be allowed a Copy of the same.

" Ordered,

" That the said Warren Hastings, Esquire, be heard at the Bar of this House upon Wednesday Morning next on the Matter of the said Charge."

Then the following Extract from the same Journal was read.

" *Mercurij*, 10^o *Die Maij*, *Anno* 26^o *Georgii* III. *Regis*, 1786.

" Ordered,

" That the Order of the Day for the hearing of Warren Hastings, Esquire, late Governor General of Bengal, on the Matter of the Charge of high Crimes and Misdemeanors presented against him upon Friday last, be now read.

" And the said Order being read accordingly ;

" The said Warren Hastings, Esquire, was called in to the Bar, and heard on the Matter of the said Charge ; and having requested that he might have Permission to deliver in the Minutes, from which he read what he had now offered to the House ;

" The said Warren Hastings Esquire, was directed to withdraw.

" Resolved,

" That the said Warren Hastings, Esquire, be at Liberty, according to his Request, to deliver in the Minutes, from which he read what he has now offered to the House upon the Matter of the said Charge of High Crimes and Misdemeanors presented against him.

" The said Warren Hastings, Esquire, was again called in to the Bar ; and Mr. Speaker acquainted him with the said Resolution.

" Then the said Warren Hastings, Esquire, having delivered in the said Minutes, the same were brought up to the Clerk's Table.

" And then he was again directed to withdraw."

Then the Managers for the Commons desired that the Introduction, and so much of the Minutes delivered by Warren Hastings Esquire, to the House of Commons on the 2d May 1786, might be read from the said Journal.

The same was objected to by the Counsel for the Defendant, stating, that, in Point of Form, the original Minutes delivered by the said Warren Hastings, and signed by him, and not the said Journal, which is only a Copy of the same, might be produced.

The Managers for the Commons answered, That the Minutes being a Proceeding in their House, and a Declaration of the said Warren Hastings in the same, they considered their Journal as the best Evidence thereof.

The Counsel for the Defendant replied, That they conceived the Journals were not in this Case the best Evidence that the Nature of the Thing admitted of ; it being in Proof from the Journal itself, that the original Minutes were delivered in by the Defendant in his own Hand Writing, and that it never was held in a Criminal Case that a Party shall be bound by Entries in the Journals of the House of Commons.

To which the Managers for the Commons said, That thinking it their Duty to spend as little Time as possible, they had no Objection to produce the original Paper.

Whereupon Mr. BENSON was again called in ; and was asked,

Q. What Paper is that you have in your Hand ?

A. The original Minutes delivered by Mr. Hastings at the Bar of the House of Commons in the Year 1786.

The Managers for the Commons desired the Paper might be delivered in, and that so much of it as relates to the Charge of Benares might be read.

Q. (from the Counsel.) Who has had the Custody of those Papers since the Time you saw them put in and delivered at the Bar of the House of Commons ?

A. They have been officially in my Custody as Clerk of the Papers, except when they went to the Press.

Q. How long were they out of your Custody ?

A. Four or Five Days.

Q. (from a Lord.) Have you any Doubt of their being the same ?

A. Not in the least.

Q. (from

Q. (from the Counsel.) I understood the Witness to say, he saw them delivered in. He was asked, Whether he saw them delivered in, and I understood him to say so.—He now says, he did not see them delivered in?

A. I did not, I believe.

Q. (from a Lord.) Are they signed?

A. No, they are not.

Q. (from the Managers.) The Managers for the Commons wish the Witness to be asked, Whether Mr. Hastings himself was ever in the Witness's Office?

A. He was.

Q. Did he look at those Minutes in your Office?

A. He did at Part of them, I believe.

Q. Did he say any Thing upon the Subject of them?

A. He, or some other Person for him at the Time, gave Directions, before they went to Press, in what Manner the Printer should print them.

Q. Was that Person, who gave the Directions, present with him at the Time?

A. Yes.

Q. Then the Managers for the Commons wish to know, Who that Person was that came with him?

A. I don't exactly recollect who he was; I believe there might be more than One Person with him.

Q. (from a Lord.) They were in his Presence when he gave that Direction?

A. Yes.

The Managers for the Commons said they would leave it there; and desired, First, that the Introduction to the said Minutes, and then as much of the Matter as relates to the Charge of Benares, might be read.

The same were read by the Clerk, as follows:

“ Introductory Defence.

“ Before I enter upon my General Defence, I humbly solicit the Indulgence of this Honourable House, to be permitted to preface it with a few necessary Observations relative to the Circumstances which have progressively conspired to make me an Object of the present Enquiry. In the First Place, I beg Leave to remark, that I am here by no Obtrusion of my own. I have too humble a Sense of my own Consequence, to consider either my Reputation, Honour, Fortune, or Life, or all these Interests collectively, as having any Claim to the smallest Portion of the valuable Time of this House, on any Ground, however just in itself, which has these only for its Object. I have been brought before the Notice of this Honourable House by the Acts of others, independent of my Will or Desire; and all the Participation which I have in it, is in the Request made by a Member of this House on my Behalf, and at my Suggestion, that since it was determined that my Conduct was to be arraigned before this Honourable House, my Arraignment might be speedy, and that I might have the Time and Means afforded me to provide the Materials for my Defence: For after having been, during a Course of Five Years, the continued Subject of the same Criminations, and from the same Quarter, with the Name of the Almighty solemnly invoked to attest the Pledge given to this House that the most undoubted Proofs should be produced to authenticate them—I allude, Mr. Speaker, to no Declarations made in this House, but to Publications out of it—I may surely be allowed, even with a Consciousness of the purest Integrity, to wish for a speedy Accomplishment of a Menace thus made, and for such professed Purposes; and that it might not hang the Denunciations of Parliamentary Vengeance over my Head for ever.

“ Of the First Effects of this Injury I have a Right to complain; for in these the Injury affected the Public alone, through their Interests committed to my Charge. During a long and desperate Struggle, with an Accumulation of Difficulties, and a Host of natural Enemies combined against our National Possessions in India, when I required all the Support and Confidence of my Superiors in the Parent State to give Effect to my Exertions, all my Actions were reprobated at Home, and my Name linked to the foulest Invective, even in Places of the highest Authority; and every Dispatch from England brought Orders opposing my Measures in their Course, and the Sentences of my Disgrace and Dismission. Yet these caused no Alteration in my Conduct, or Relaxation of my Zeal for a Service in which my Labours had met so ill a Requital, except from my respectable Constituents, in whose Applause alone I receive a Consolation under all my Discouragements. I steadily pursued that Line which my Sense of Duty had prescribed; and sometimes availing myself of the transitory Moments of Power which the Hand of God afforded me, at others using the Resistance which the Influence of Possession or Opinion enabled me to make, or the Caution of

Opposition permitted; or endeavouring to temper its Violence by qualified Submission, where the Means of Resistance failed me; never possessing the Allowance of Authority, but always charged with Responsibility; I persisted in the Formation and Prosecution of every Measure, which the Emergency of the Service rendered necessary in my Judgment, and had the conscious Triumph of seeing them all invariably terminate in their designed Objects: Nor did I resign my Charge, until I had fulfilled every Duty which required my Continuation in it; and I resigned it in a State of established Peace and Security, with all the Sources of its Abundance unimpaired, and even improved, notwithstanding the vast Drains which were made of its Treasures, and the multiplied Diversions of its Strength, in the Support of the dependant and remote Possessions of the Company, and in the Maintenance of their Wars, and of Wars in which the Company were involved by the Policy of Great Britain. I parted from the Scene of my public Life with the expressed Regrets of my Fellow Servants and Countrymen; which were followed by a like Declaration from all the Officers of the Army who had served during my Administration; and on my Return to my own Country, I was received by the Court of Directors, my immediate Masters, with their Thanks; and I gratefully remember the Chairman's emphatical Pause on the Epithet which was joined to them, their *Unanimous Thanks*, for my Services; with a Notification of those which had been some Time before bestowed on me by the Votes of the Proprietors, my honoured Employers, which were not the less acceptable for their Consistency with the uniform Tenor of their Sentiments and Conduct respecting me through the whole Course of my Administration. If this Honourable House is desirous of knowing in what Estimation I stood with the Princes and Rulers of India, and with the Subjects of our own Dominion, the Opinions of both may be easily obtained, by Enquiry of the Witnesses whom my Prosecutor has called to establish his Charges against me: And I will anticipate their Evidence—It will state, that my Political Conduct was invariably regulated by Truth, Justice, and good Faith; that all Persuasions of Men were impressed with a superstitious Belief that a fortunate Influence directed all my Actions to their destined Ends; and that my Departure was scarcely less regretted by the Inhabitants of the Provinces of my late Dependency, than it was by my own Countrymen. I believe this Honourable House is in Possession of One Testimony of the former, in the Letters which Mahdajee Sindia wrote to His Most Gracious Majesty, and to the Company. These were written many Months after my Departure, and contain much more of my Praise than his own Wants or Requisitions, unless the former is inserted as an Implication of his Desire that others may be instructed to govern themselves by my Example:—And who will question such an Authority?

“ With such Testimonies in my Favour, and with the internal Applause of my own Mind superseding all Evidence, what was my Surprise to find, on my Arrival in England, that my Character still continued to be assailed with the bitterest Calumnies and Invectives, and a formal Notice given before the Close of the last Session of Parliament to this Honourable House, that I should be arraigned as a Criminal before it on the Opening of the present?

“ I am since told that no such Intention existed; and that my own Intemperance, and the Zeal of my Friends, has forced my Accuser to verify his own Declaration.

“ I have no Right to credit such an Assertion, nor will I believe, new and unpractised as I am in the Modes of Life in which I am now become a Participator (and I have learnt by it to know more Things than were dreamt of in my Philosophy) that so daring an Imposition could be either practised upon this high and dignified Assembly, or permitted by it. Though I might have thought myself entitled by my Services to a different Reception, and my Body and Mind, worn down by the Labours of Thirty-five Years, to an Interval of Repose; and though I might erroneously imagine that no Power upon Earth had a Right to impeach me for the Exercise of a Trust which those for whom I held it had repeatedly declared, and in the most authentic Terms, that I had discharged to their Benefit and entire Satisfaction; yet I was glad to see some substantial Ground on which I could build my Hopes of a speedy Trial and definite Termination. There too my Expectation failed me. The Prosecution began, not as is the universal Practice of every System of Jurisprudence established either in this or any other civilized Nation, by the Introduction of specific Charges, and the Examination of Witnesses to prove them: For the latter indeed there was little Need, since my Accuser had long before asserted, that he was in the actual Possession of Proofs, and of such Proofs as were to fill the Breasts of this Honourable Assembly with Horror. Why therefore aggravate them with new Proofs? But Witnesses were ordered to attend, and Rheams of Official Documents demanded, produced, and printed; Additions were daily made to these during the Course of many Weeks; and the Eyes of the World were fixed upon me as a Man blackened by the Imputation of some unknown Guilt, which was the blacker for its Concealment. No Grounds were alledged for the Accumulation of such a Mass of Evidence against me; no specific Objects to which it was to be applied; nor was it known to this Honourable House, perhaps not even to that Member of the House who had required these Materials, what the Charges were to be, which he was to establish by them.

“ At length I heard that a Day was fixed for the Production of the Charges; but here too I experienced a fresh Cause of Disappointment and Mortification. Three Weeks were assigned for the Term of their Appearance; and when that Term expired, this Honourable House knows (for I may not perhaps affirm what I have heard) whether even then any of the Charges were presented, and whether, when they were presented, they were Optionally given.

“ In

" In all this long and painful Interval I myself, though the Object of the Enquiry, remained in total Inaction, a mere Spectator of the passing Scene; for I knew not, nor could I know, what Defence to prepare, not knowing what Charges were to require my Defence. And when they were produced, I was told that I could not be admitted to my Defence, because, by the Rules of the House, I could not know the Charges exhibited against me, nor that any had been exhibited; nor indeed were all exhibited at the same Time, but followed tardily, and the Three last (if indeed these are the last) not till last Wednesday. But though it might be informal in me to know the Charges, the Public are certainly in Possession of all but the Three last, for they have been printed and publicly sold, and Purchasers invited, by an Advertisement made in all the public Papers, which stated them " Articles of Charge of High Crimes and Misdemeanors" against me by Name, and the Name of my Accuser inserted by a Construction marking him not as the Presenter of the Charge, but as the Publisher of it. How much my Reputation must have suffered in the Opinion of all Mankind from this Publication; how severely my Feelings must have been wounded by so unfair and iniquitous an Appeal to their Judgment, while the Charge itself, loaded as it was with Crimination against me, yet waited its slow Term of Maturity for the Examination of it before its allotted Judges, I leave to the Decision of every Member of this Honourable House, who will bring the Question home to his own Judgment and his own Passions, by supposing that Case to be his own which I have described as mine.

" Nor is this the only Injury of the Kind that I have suffered. Every Daily Paper has teemed with Reflections upon me; and Pamphlets, filled with the most scandalous and libellous Abuse, have been written on various Subjects of the Charge, to influence the Prejudices of the Public against me; and it has been boasted that they have produced the Effect.

" Pressed by the Load of Slander thus heaped upon me, I resolved to try the only Resource which afforded me a Chance of Redress; and in Opposition to many and weighty Discouragements, I threw myself upon the Justice of this Honourable House, and petitioned to be allowed to make my Defence in Person, and I succeeded. Whether I owe this Indulgence to your Goodness, or your Justice, I accept it with equal Gratitude.

" Of the Discouragements to which I allude, I shall mention but Two Points; and these it is incumbent on me to mention, because they relate to Effects which the Justice of this Honourable House may, and I trust will, avert. The First is an Objection to my being at all Personally committed in my Defence, since in so wide a Field of Discussion it would be impossible not to admit some Things of which an Advantage might be taken to turn them into Evidence against myself: Whereas another might as well use as I could, or better, the same Materials of my Defence, without involving me in the same Consequences. But I am sure that this Honourable House will yield me its Protection against the Cavils of unwarranted Inference; and if the *Truth* can tend to convict me, I am content to be *myself* the Channel to convey it.

" The other Objection lay in my own Breast. It was not till Monday last that I formed the Resolution; and I knew not then whether I might not in Consequence be laid under the Obligation of preparing and completing in Five Days, and in Effect so it has proved, the Refutation of Charges which it has been the Labour of my Accuser, armed with all the Powers of Parliament, and at One Time greater, to compile during as many Years of almost undisturbed Leisure. But I knew myself equal to the Undertaking; and I now only revert to my Difficulties, that the Consideration of them may bespeak the candid Allowance of this Honourable House for any Inaccuracies, or for any Thing defective which may appear in my Defence; but I claim no other Indulgence on this Account.

" It might perhaps be expected, that I should object to the Construction of the Articles of which the Charge is composed; for, in Truth, they are not Charges, but Histories and Comments. But they are yet more; they are made up of mutilated Quotations; of Facts which have no mutual Relation, but are forced by false Arrangement into Connection; of Principles of pernicious Policy and false Morality; Assertions of Guilt without Proof, or the Attempt to prove them; Interpretations of secret Motives and Designs which passed within my own Breast, and which none but myself could know; Actions of others imputed to me, in which I had no Concern, or which passed in Opposition to me; and Epithets and Invektives affixed to Acts ascribed to me, equally to those which in the Construction are bad, as to those which are indifferent, or even meritorious.

" There are Artifices by which the most wary Judgment might be surprized, that had nothing before it to repel their Effects, but which on the Touch of Truth disappear, and leave, not merely the Conviction of their own Fallacy, but the strong internal Presumption that the Charges themselves were formed under the Conviction of their Want of Foundation; and as far as my Feelings as a Man will allow me to consider them in that Tendency only, I am glad that they wear the Form which they do wear.

" With respect to the general Subject of the Charge, I must beg Leave to observe to this Honourable House, that it has been composed from a laboured Scrutiny of my whole Official Life, during a most important and weighty Administration of Thirteen Years, comprehending perhaps a greater Variety of interesting Events than have fallen to the Lot of any Man now living: Events not brought to the public View by their Notoriety alone, but all, the Subjects of minute Record;—Measures proposed, with all their Motives and Objects distinctly laid down in Writing, with their Effects displayed

played by Letters and Official Reports through every Process of their Operation;—opposed by every Objection, and those too written, that the Judgment or Ingenuity of my Colleagues in Office, among whom I had always Opponents, could devise;—at Times weakened, at others suspended, and again resumed with their Effect enfeebled; but my own Responsibility still attending their Issue. Yet all my Actions have undergone, and even during the actual Progress of them, they underwent, such a Severity of Investigation, as could suit only a Mind possessing in itself an absolute Exemption from Error. In the present Occasion, I am put to a harder Test; for not my Actions alone, but my Words, and even my imputed Thoughts, as at the final Day of Judgment, are wrested into Accusation against me. And from whom is this State of Perfection exacted? From a Man who was separated, while yet but a School Boy, from his native Country, and from every Advantage of that Instruction which might have better qualified him for the high Offices, and arduous Situations, which it became his Lot to fill; and left to form his Rule of Conduct on his own Practice, and the Light of such an Understanding as it had pleased God to bestow on him.

“ I pass over the First Years of my Life.—These no otherwise relate to the present Purpose, than as they recommended me successively to the Succession of the Government of Fort St. George, to the Government of Fort William, and virtually to all the Appointments which have since followed.

“ I received the Government of Bengal with Incumbrances, which might have intimidated a firmer Spirit than mine; and I felt the perilous Situation in which it placed me.

“ I found myself the titular Head of a numerous, and not always accordant, Council, appointed to manage the Affairs of a great State, which yet wore the Marks of recent Acquisition; but had neither a determinate Form nor System, nor any Orders or Instructions which could enable them to give it either.

“ I attempted, and with the Aids of my Colleagues, where I was allowed them, I gave it both Form and System; for every Office into which it was distributed, to the Time of my Departure, received its Institution during the Period of my Administration, and all the Transactions of it have, except the First Two Years of the General Government, in some Part of their Progress, received their Direction from my Guidance.—Yet in every Step I had Difficulties to surmount, which are unknown to the Rulers and Ministers of other Governments. Besides the Conciliation of discordant Opinions, and their more frequently confirmed Opposition, I had my Conduct circumscribed by Orders which would apply to few of the Cases which occurred, and those Orders uncertain in the Construction.

“ I beg Leave to extend this Reflection. During the long Exercise of a Charge so constituted, and with such Exigencies attending it, how, may I ask, was it possible to keep Affairs in one even Line, or to avoid Contradictions both in Measures and Expressions? At some Times Affairs were forced into a Direction diametrically opposite to my Views, by the Power of a Majority; sometimes they received their Bias from my being obliged to submit to the Opinions of those on whom I depended for Support: And whenever the Course of Business was thus diverted from the straight Line, it was often difficult to bring it back, without some Degree of Irregularity, of Violence, or of general Inconsistency.

“ Where I suffered them to proceed in that devious Line, I am charged with pursuing Measures which my own Opinions have condemned; where I attempted to restore them to their proper Channel, I am accused of Innovations. Many Measures, which it would be now difficult to explain from written Documents, were founded on Circumstances of such Notoriety, that no one could doubt their Propriety at the Time, and no one ever thought it necessary to record the Reasons, or to establish the Proofs of Facts and Events, which were then certain, and universally admitted.

“ The Minister of this Empire (if I may compare great Things with small) had, in the various Emergencies of his Administration, the learned Judges of the Land, General Officers of the first Authority and Experience, and the Merchants of the greatest Commercial City in the World, to whom he might apply, and whose Opinions he might command, on every doubtful Question, whether of Law, Military Operation, Trade, or Finance.—He could not err.

“ I possessed no such Professional Aids, but had only my own Mind for my Resources, and Minds as little instructed as my own to assist me, and to be the Instruments of my Measures.

“ That this Description of my Situation may not be imputed to me as the Invention of Difficulties made up for the Occasion, I beg Leave to appeal to the following Extract of a Letter which I wrote to the Court of Directors so early as the 11th November 1773, which was before I knew of the Formation of the new System for the Government of India.

Paragraph 4. “ May I be permitted, in all Deference and Submission to your Commands, to offer it as my Opinion, that whatever may have been the Conduct of Individuals, or even of the collective Members of your former Administrations, the Blame is not so much imputable to them, as to the Want of a Principle of Government adequate to its Substance, and a coercive Power to enforce it. The Extent of Bengal, and its possible Resources, are equal to those of most States in Europe. Its Difficulties are greater than those of any; because it wants both an established Form and Powers of Government; deriving its actual Support from the unremitted Labour and Personal Exertion of Individuals in Power, instead of the vital Influence which flows through the Channels of a regular Constitution, and imperceptibly animates
“ every

" every Part of it. Our Constitution is no where to be traced, but in ancient Charters, which
 " were framed for the Jurisdiction of your Trading Settlements, the Sales of your Exports, and
 " the Provision of your Annual Investment. I need not observe how incompetent these must
 " prove for the Government of a great Kingdom, and for the Preservation of its Riches from
 " private Violence and Embezzlement."

" I will content myself with this Quotation in this Place; though I could wish that the whole
 Letter were attentively perused, as it is strongly expressive of the Difficulties and Embarrassments
 of my late Situation in India. To what I have said let me add, that in a newly established Go-
 vernment many Occasions will constantly occur, which can be regulated by no Precedent; and even
 the Uncertainty of the Constitution, and the unknown Limits of the Authority belonging to its
 various Branches, will often provoke Resistance, and produce Events, which never could happen
 under a Government long established, and with its Powers clearly defined, and universally
 understood.

" Under such Circumstances I humbly apprehend, that since it is not, as I have said, the Lot of
 human Nature to be exempt from Error, some notorious Calamity, affecting the Interests of which
 I had Charge, or some well-ascertained Ground of Corruption, or other moral Deviation from my
 Duty, the Loss of National Reputation, or of substantial Property, ought to have appeared, before
 I became the Subject of a Parliamentary Impeachment. But what Losses has the Nation sustained
 through my Mismanagement? Have Provinces been dismembered from it? Have its Armies been
 defeated in Operations of my Formation? or War or Famine wasted the Countries of my Jurisdic-
 tion?—No: The Reverse has been the Attendant of my Fortune in every Stage of it; and so little
 Ground have I afforded, from the Notoriety of my Character, for such an Inquisition into it, that I
 dare affirm that I stand, even at this hour (notwithstanding the Prejudices excited against me) as
 high in the Estimation of the World, I mean not to confine the Assertion to this Kingdom alone,
 as any Man of my own Rank and Pretensions in it.

" Yet I mean not to avail myself of this Plea. I assert my general Claim to the Approbation of
 this Honourable House, and of my Country, for my Services; but I neither desire, nor will admit,
 of their being placed in Balance against my Faults, if I have Faults to stand in Opposition to
 them.

" I entreat the House, that each Article of the Charge may be distinctly tried, and that they will
 be pleased to give their Sentence upon each.

" Answer to the Third Charge. Part Ist.

" B E N A R E S.

" IT has been the Fashion to give Histories of Benares; but as far as I have had Occasion to
 peruse them, or to see the Select Committee, or in anonymous Pamphlets, they are, for the
 greater Part, false and unsupported. I shall here detail as much as I am warranted by certain
 Knowledge of the present Situation, adopting, where I possibly can, the very Words of
 the Third Charge against me.

" The Territory of Benares is a fruitful, and has been "*(and is at this Day)*" an orderly, well-
 " cultivated, and improved Province. Its Capital City may rather be considered as the Seat of the
 " Hindû Religion than as the Capital of a Province." I am not certain of the Period at which it
 was annexed to the Mogul Empire; but it is clear, by the *Ayeenec Acheree*, that it was a Part of the
 Subah of Allahabad in Acber's Time.—Catrou (Page 119) mentions a Raja *Carn* to have been
 subdued by Acber, whom I conceive to have been Raja of Benares. However, the same Ayeenec
 Acheree asserts, that Sultan Mahmood Ghaznavee (the first Mahomedan Invader of India) came
 to Benares in the 410th Year of the Hejirah, above 750 Years since. After Acber, his Son Jehân
 Gueer was undoubtedly Master of it; and Daia Shekuh, the eldest Son of Shâh Jehân, Son and
 Successor of Jehân Gueer, resided a considerable Time at Benares in a Station of Authority, as we
 learn from his own Preface to a Book he compiled during his Residence there. Aurengzeeb, his
 youngest Brother, and Successor to the Empire after Shâh Jehân, has effectually displayed to Poste-
 rity the Power and Sovereignty which *he* exercised in Benares, with a savage Bigotry characteristic
 of his Temper and Policy, by a magnificent Mosque which he erected on the Site (and even admitted
 into his Plan a considerable Part of the Edifice) of an ancient and most superb Hindû Temple.
 This Mosque continues perfect to this Day, and with its neighbouring Minarets (which *he* also erected)
 overlooks the whole City. If Benares, in Acber's Time, was a District of the Subah of Allaha-
 bad, it continued annexed to the same Province in the Time of Aurengzeeb, as we learn from
 Catrou (Page 362): it therefore never was considered a Capital of any considerable Kingdom, nor
 yet as a Province annexed to the Subah of Oude. Benares is a naked defenceless City, situated so
 near to the almost-impregnable Fortrels of Chunar, that the Possessor of the *one* may at all
 Times be Master of the other; and this accounts for its having been annexed to the Subah of
 Oude, some Time since the Invasion of Nadir Shah. Rajah Bulwant Sing, who resided at Benares
 with some Degree of Authority (but who never had Permission to coin Money, nor even the Ad-
 ministration of criminal Justice in the City itself) when the Incursions of the Shahzâdah, now the
 King Shah Allum, first drew the Attention of the English to that Quarter; and, far from being a

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great Lord (or any Lord) of the Empire, he was a mere Dependant on the Nabob of Oude, *Shujah ud Dowlah*. He was originally Zemindar of a small Pergunneh, called *Gungapoor* (by *Purchase*, not by *Inheritance*, for his Father, *Musferam*, was *not* a Zemindar) yielding a Revenue of about £.500 a Year. He had been patronized and employed by *Sefdar Jung*, the Father of *Shujah ud Dowlah*, and was gradually promoted to be *Aumil* or Collector of Benares and *Gauzipoor*. He continued in that Capacity to the Day of his Death, and *never was Zemindar of either District*. In the Year 1764, when *Shujah ud Dowlah's* Affairs were on the Decline, *Bulwant Sing* made Overtures to the Nabob of Bengal, *Meer Jaffier*, to join his Army with such Troops as he could muster. General *Carnac*, who commanded our Army at that Time, warned the Governor and Council of Calcutta of the *Rajah's* Perfidy; and so well were those Gentlemen convinced of the Truth of those Allegations, that on the Sixth of November of the same Year, they wrote thus to Major *Munro*: "With respect to *Bulwant Sing*, *the double Part he acted in the Beginning of the War* sufficiently warns us to put no Confidence in him; and "therefore, if he has not already been permitted to join you, or you have entered into no Engagements with him, *we would have him dispossessed of his Country, and his Person, if possible, secured.*" —My Predecessors, it may be here observed, both in *Language* and *Conduct*, equalled at least, or rather exceeded, every Thing of which I am now accused. I have said that *Bulwant Sing* *never was Zemindar of Benares or Gauzipoor* (*); in Proof of this, I appeal to *Bulwant Sing's* own Proposals to Major *Munro*, dated the 21st November 1764: "If you, Gentlemen, chuse to possess yourselves of *Shujah ud Dowlah's* Country, I will agree to hold the Sircars of Benares, *Gauzipoor*, *Joinpoor*, *Bidigur*, &c. on the same Terms as I hold them from *Shujah ud Dowlah*." Of *whose* Country were the English supposed to intend a Seizure?—Of *Shujah ud Dowlah's*. Who held the Four Sircars here mentioned?—*Bulwant Sing*. Of *whom* did he hold them?—Of *Shujah ud Dowlah*. By what Denomination are they described?—As *Parts of Shujah ud Dowlah's Country*. Every Word of the Proposal proves that *Shujah ud Dowlah* was *Sovereign of those Sircars*, and that a Seizure of *Shujah ud Dowlah's* Country necessarily include (") the Seizure of Benares, *Gauzipoor*, *Joinpoor*, *Bidigur*, &c. Had *Bulwant Sing* possessed a separate Territory, the Conquest of *Shujah ud Dowlah's Country* would not have been tantamount to a Seizure of *Bulwant Sing's*. Had he been Prince or Zemindar of those Provinces, he would naturally and of course have named them, in his Proposals, "my Sircars," or "my Zemindary;" and his *Arzee*, or Proposal, must, according to the universal Custom of the Country, have been signed by him "Zemindar of the *Mahals* of Benares, &c. &c." Through that whole War, which terminated in the entire Defeat of *Shujah ud Dowlah*, *Bulwant Sing's* Conduct was alternately treacherous to his Master and to us. His First Junction with us is acknowledged by the Court of Directors, in the Letter of the 26th of May 1768, to have been "of signal Service to us," and I do not deny it; but the whole Correspondence of the Bengal Government in the Years 1764 and 1765, proves that he *never did us any other Service*: That he was suspected, a faithless and a dangerous Ally; and that but for the Treaty made with him by the Commander of our Army, the Governor and Council would have "seized his Person, and transferred his Districts to another." (See 2d Report of the Select Committee, Pages 4 and 5, &c.) *Bulwant Sing* dying in the Year 1770, his Son *Cheynt Sing* succeeded to his Rights, as Zemindar of *Gungapoor*. The Appointment of Farmer or Collector of Benares and *Gauzipoor* reverted of Course to the Vizier his Sovereign: I must observe, that in the Translations of the Persian Papers, both of those and the preceding Times, great Confusion occurs, in the Application of peculiar and definite Terms, with a loose and unguarded Signification; for in Twenty different Documents at least, quoted in the Second Report of the Select Committee, *Bulwant Sing's* Farm or Collection, is styled his "Zemindary." I need go no farther than the 5th Article of the Treaty of *Illiabab*: (See 2d Report, 10th Page): "His Highness *Shujah ud Dowlah* engages in the "most solemn Manner to continue *Bulwant Sing* in the Zemindaries of Benares, *Gauzipoor*, &c. &c.;" and in the 7th Article of the same Treaty, it is resolved "to restore to his Highness the Country of Benares, and the other Districts now rented by *Bulwant Sing*:" Both of these Articles cannot be admitted in their true and literal Sense. If the Zemindary belonged to *Bulwant Sing*, he could not be said to rent it: he paid Tribute only. If the Country did not belong to *Shujah ud Dowlah*, it could not be restored to him. In short, the Word "Zemindary" is used by our Translators in a lax Sense, to signify District or Province: This is evident from the Letter of the Bengal Government to the Court of Directors of 11th September 1770 (see 2d Report, 10th Page): "In our former Letter, Gentlemen, we expressed our Sentiments of the Consequence it was to your Affairs, that the Succession to the Zemindary of Benares should continue in the Family, but that it was a delicate Point to accomplish with the Vizier."—Why was this a delicate Point? The Third Paragraph of Mr. *Burke's* Third Charge, *peremptorily* states, that on the Death of *Bulwant Sing* "his Son *Cheynt Sing* succeeded to his Rights and Pretensions." The Delicacy of the Point consisted precisely in the Want of Right, for had *Bulwant Sing* been real and hereditary Zemindar, the Succession would have gone to his Son of course, there being in India no such Custom as Disinheritance: This Circumstance proves also, that *Bulwant Sing* was *not* the Zemindar; for in that Case it must have devolved to him by Inheritance: Instead of which, he writes to *Rajah Shitabroy* (see 2d Report, Page 5): "If it is the Intention of the English Gentlemen to take Possession of *Shujah ud Dowlah's* Dominions,

(*) Sic in Orig.

(*) Sic in Orig.

“ I will agree to hold Benares and Gauzipoor, &c. *which have long been under my Jurisdiction*, on the same Terms from the Company as I did from Shujah ud Dowlah.” Here was precisely the Place to have pleaded his *Right of Possession*, and his *Title by Inheritance*: Instead of which, he only says, those Places had *long* been under his Jurisdiction, which (if any Meaning be annexed to the Words) must imply that they were not *always* so. I must quote another Part of this Bengal Letter of 10th September 1770 (2d Report, Page 11): “ A jealous, suspicious Disposition of the old Rajah, assisted by the Distrust of their own Children, inherent in the Minds of the People of this Country, may possibly have been the Reason why the Son was not included in the Treaty of 1765; for had he expressed a *Wish to secure the Zemindary in his own Family*, a Doubt can scarcely be formed, &c.—But suspicious, *probably*, of the Consequences that his Son “should think he had a Right to the Succession,” his whole Aim seemed to center in Self-security, without the least Attention to the Good of his Posterity.”—I answer, every Word of this, if it be really applicable to Bulwant Sing’s State of Mind, proves beyond a Doubt, that *he was not the Zemindar*; for, as Zemindar, his Son *must* have succeeded, in the Language of the Charge itself; and it was a Matter perfectly indifferent to the State of the Case, whether Bulwant Sing expressed or did not express his Wishes on that Head: But if he really were “*suspicious of the Consequences that his Son should think he had a Right to the Succession*,” it is demonstrable that he knew the Son to have *no Right*; for had he a Right, Bulwant Sing could neither suppress a Knowledge of it from his Son, nor controvert its Effects. It would have been a clear, entailed, hereditary Estate, of which it was mutually indifferent to the Father and to the Son what each might separately think.—When Cheyt Sing, by the Influence of the Company, was confirmed in the Place which his Father had held as Farmer or Collector for the Vizier, he paid, as a Gift or Nuzzeranah, a Sum amounting to nearly 200,000 Pounds, and increased his Rent near 30,000 Pounds per Annum; “by which” (Mr. Burke says) “he became a Purchaser, for valuable Considerations of his Right and Inheritance in the Zemindary aforesaid.” I do not profess to understand how a Man can be said to purchase of another that which the other *has not to sell*. To the Rights, the Charge expressly declares Cheyt Sing to have succeeded by the Death of his Father: The Inheritance itself is that very Right; so that Cheyt Sing purchased what he had already; and the actual Functions of his Office, the Collection of the Rents, and the Government of the Districts, &c. were obligingly thrown into the Account. But why did the Vizier exact £. 200,000 on the Death of Bulwant Sing?—Assuredly because, as Sovereign of the whole Country, he possessed and exercised the Right of *levying Fines*, and that to an arbitrary Amount, as appears by the 2d Report of the Select Committee. I know not how we can deny the Existence of many *despotic Principles* in the Mogul System of Government; but wherever *those* exist the Powers of the Prince will be every Thing, and the Rights of the Subject nothing. Shujah ud Dowlah *fined* Cheyt Sing £. 200,000, and £. 30,000 per Annum; which, at only Ten Years Purchase, is £. 300,000; in all, £. 500,000 for the mere Investiture of what in the Charge is stated to be his *Right of Inheritance*. I, who was vested by my Station with exactly the same Powers as were exercised by Shujah ud Dowlah, never thought of a *greater Fine* as a Punishment for the most flagrant Offences. Cheyt Sing succeeded of course to his Father’s Treasures (See Lieut. Colonel Harper’s Evidence, Appendix to 2d Report), not by any Testamentary Form, not by any Permission of the Vizier, not by any Intermediation of his Friends, but by *Right of Inheritance*. Are there Two or more Species of Rights of Inheritance? All that the Father could call his own came to the Son; what he held of his Sovereign reverted to its Owner. The Dignity, the Power, the Profit consequent on the Government, were Matters which the Vizier had a Right to sell, and which Cheyt Sing might have a Preference in purchasing, if the Two Parties could settle their Terms. Bulwant Sing had saved great Sums of Money out of his Government, by Colonel Harper’s Evidence; it was therefore an Object of Cheyt Sing to succeed to his Father’s Lease, even on Terms somewhat less advantageous. The Government, or Lease (or by whatever other Title of Possession Bulwant Sing had exercised Authority in Benares) was, at the Father’s Death, procured for the Son; and as the General Letter from Bengal, dated 31st October 1770 (See 2d Report, Page 11th) expressly states, Cheyt Sing was “considered by the Vizier as holding that Country *on the same Terms* as his Father.” Bulwant Sing, I have proved above, held only *in Capite*; the Son therefore, at this Time, held only *in Capite* also: And Colonel Harper, who acknowledges that Bulwant Sing had but a *Life Interest* in the Lands, must be mistaken, where, in quoting from Memory, he gives Evidence, that “the Sunnud to Cheyt Sing was granted *to him and his Heirs*.” It is allowed on all Sides, that the *Letter of the Treaty of Allahabad did not extend to Bulwant Sing’s Heirs* (see 2d Report, Page 12th). The Vizier therefore was perfectly justifiable in refusing to acknowledge it farther; and in my Deputation to Benares, in 1773, I procured a new Treaty, for the express Purpose of settling this Point to Cheyt Sing’s Satisfaction. It may be remarked, that all the governing Powers of Hindostan are extremely averse to any Treaties or Agreements which are declared to be *binding on Posterity*; and I have had frequent Difficulties in many Negotiations with the native Princes on this Head; they have always pleaded “that it was against the Custom of their Country.”—It must be admitted, that the Council in 1773 conceived *some* Doubts to exist *somewhere* respecting the Validity or the Extent of the First Stipulations in Behalf of Cheyt Sing, or they would not have empowered me to *renew* them. And I am warranted in having declared in my Narrative, “that Cheyt Sing obtained from our Influence, *exercised by myself*, the First legal Title that *his Family* ever possessed of Property in the Land, of which he, till then,

" was only the *Aumil*, and of which he became the acknowledged *Zemindar*, by a *Sunnud* granted " to him by the Nabob Sujah Dowlah, *at my Instance*, in the Month of September 1773." The Father was no more than *Aumil*, as I have amply proved; on his Decease the Son precisely succeeded to his Rights and Pretensions, as the Charge states—he therefore became *Aumil*; and if he ever was *Zemindar*, it could only be derived from the *Sunnud* of 1773. In 1774 the Majority of the new Council General adopted, in the Case of Shujah ud Dowlah's Son, the System formerly supported by Shujah ud Dowlah in the Case of the Son of Bulwant Sing. *They decided* that the Treaty made with the *Father* did *not* bind them with respect to the *Son*. In *both* Cases my Opinion had been uniform and consistent. In 1770 I thought that the Agreement made between Shujah ud Dowlah and Bulwant Sing was virtually in Force, though one of the contracting Parties were dead, and that Cheyt Sing stood precisely in the Place of his Father. In 1774, I thought that the Treaty we had entered into with Shujah ud Dowlah continued to bind the Company; and that his Son, Asoph ud Dowlah, had in every Respect succeeded to his Father's Engagements, as well as his Dominions. In both Cases my Judgment has been unfortunate; the *latter*, however, procured the Company a large Addition of Territory and Revenue, on the Appropriation and Management of which, as the Majority of the Council decided *against my Opinion*, their Sentiments alone, and *not mine*, are to be considered in whatever relates to the Transaction. I must therefore *except* to the Use made by Mr. Burke, and to *any* Use whatever being made, of any Minutes delivered in Council *by me* on that Occasion, as those Minutes were no Part of the Cause or Motive on which the Majority acted; and therefore, as far as any Good or Evil arose out of the Act itself, I am totally unconnected with it. General Clavering, Colonel Monson, and Mr. Francis, in their Minute of 7th December 1775 (see 2d Report, 23d Page), fully acquit *me*; " the Measure" (they say) " is strictly and exclusively *ours*. The original Plan was " *opposed in every Step by the Governor General and Mr. Barwell.*" Upon the same Principle I solemnly disclaim all Connection with, and even all Knowledge of, any " improper and fraudulent " Transactions with regard to the Symbols of Investiture which ought to have been given to the " *Rajah*; and the Form of the Deeds by which the said *Zemindarry* ought to have been granted," as stated in the 13th Article of the Charge. I am not responsible for the Acts of the Majority, nor for the Acts of Mr. Fowke *their* Resident at Benares, who acted wholly under their Authority, and over whom I had not the Shadow of an Influence; I was at that Time but a Spectator of what was doing, a mere Cypher at the Board.

" If there were any Mistakes in the Modes of Investiture, or the Forms of the Deeds, they were without my Concurrence; and as I cannot even now conceive what Purpose so pitiful an Artifice could be supposed to answer, I will positively assert they could not be *fraudulent*. Mr. Francis, who is the surviving Member of that Majority, " *to which the Measure strictly and exclusively belonged,*" is alone amenable for every Part of it, for its *Informalities*, as well as for its Merits; for any " *complicated, artificial, and fraudulent Management,*" that might take Place in the Course of its Execution, as well (*) for the Grounds on which it was proposed: For my own Part (after disclaiming all Pretensions to any particular and exclusive Duty on *me* to attend to the due Insertion of all Transactions on the Company's Records, which Duty I conceive to be that of the *Secretary*, under the Direction of those who had the Authority; and also after professing most religiously that I did never, either directly or indirectly, procure the Omission of a Syllable of any public Document whatever, which ought to have been transmitted to the Court of Directors) I do most solemnly affirm and declare, that *I did not*, at the Time specified, meditate to make *any evil Use whatever* of the Deeds which are stated to have been withholden from the Company;—that I did *not* (until the very Day when I first read it in the Charge) know that such Deeds had been withholden, and that I should at all Times have loathed and spurned at the mere Idea of grounding any Measure of mine on so shallow and base a Manœuvre; I may be allowed to add, that while the Counterparts of the Deeds existed, all Concealment on our Side was equally ridiculous and ineffectual; it is an invariable Form, that the Cabooliet, on (b) Agreement with the *Zemindar*, is always Word for Word the same as the Potta or Lease. After all, I have been combating with a Shadow, for what were these Deeds which were suppressed? The only Deed or Instrument of Cheyt Sing's Investiture was the *Sunnud* or Charter, and the Potta or Lease, which are expressed in the Charge to have been regularly made out, and transmitted; I know of no other. *No Sunnuds* were ever sent to the Court of Directors, nor any Papers in the original Language.

" P A R T II.

" I MEAN to *prove fully*, in its proper Place, that I never gave Permission to any Agent to resign for me the Office of Governor General, I can here only *assert* it; but when General Clavering attempted to assume the Chair which I had *not* vacated, I was warranted in supporting my Authority by every Means in my Power: I was warranted in styling him " *my Opponent,*" and warranted in treating every misplaced Mark of Homage to *him* as a Personal Disrespect to myself:—When, therefore, I affirmed that Cheyt Sing had deputed an Agent, with an express Commission to compliment General Clavering on his Accession to the Government, I affirmed a Fact certainly criminal and offensive to the

(*) Sic in Orig.

(b) Sic in Orig.

Company's Government, inasmuch as it was an officious and premature Interference on the Part of the Rajah,—pregnant in itself with very great Disadvantages to the due and orderly Administration of Affairs, and deeply injurious, by the Example it held out to others, for taking Part in the Diffensions which at that Time harassed our Councils. In Cheyt Sing's Case it was particularly obnoxious, because all Correspondence with *him* (as with other native Powers) was by the Company's Orders conducted through the Medium of the Governor General; the Rajah, therefore, had no Right, no Pretext, for paying such a Compliment to General Clavering, until his Accession to the Chair had been notified *in Form*; nor can it be urged, in the present Instance, that such Notification was duly made; for, granting (as I believe I may) that General Clavering had issued, in his assumed Character of Governor General, Information to that Purport, Cheyt Sing had a Vakeel in Calcutta, whose express Business it was to set his Master right, and for that Purpose he might have had, *and had*, at all Times free Access to my House and Apartment; and *I also* caused immediate Official Dispatches to be sent off to the different Country Powers to assure them of my Continuance in Administration. I urged this Act of the Rajah *at the Time it took Place*, and *I now urge* it, as a Proof of the Readiness which he shewed to foment, or even to take Part in any Divisions of our Government; it always appeared to me indecent with respect to *my* Office, unjustifiable with respect to *his* Situation, and a Proof of his rooted Disaffection to the English Administration. Whether or not *I Personally* forgave him, is of no Consequence: I never sought to punish him but on *public Grounds*. And had he faithfully discharged his Duty to the Company, he would never have heard a Syllable of my Repentment. Implacability to my Inferiors is no Part of my Character. I am accused "That having obtained, in my Casting Vote, a Majority in Council on the Death of Sir John Clavering and Mr. Monson, I did suddenly, and without any previous general Communication with the Members of the Board, by a Minute of Consultation of the 9th of July 1778, make an extraordinary Demand, namely, that the Rajah of Benares should consent to the Establishment of Three regular Battalions of Sepoys, to be raised and maintained at his own Expence." I answer, that on the 6th of July *at Night* a Packet was received from Mr. Baldwin at Cairo, with an Account (deemed fully authentic by the whole Council) that War had been actually declared and commenced between Great Britain and France. It was my Duty to propose Measures in Consequence of this Intelligence, *without Loss of Time*. Accordingly, on the 9th of July, after an Interval of only Two Days, I gave in at the Council Board a Plan of *General Increase* for our Military and Marine Establishments, to meet the Exigencies of the Moment. Every Member of our Government felt the Necessity of the Measure, and we were for Once unanimous. My Propositions, which embraced every Part of the Company's Dependencies on that Side of India, could not, without glaring and very suspicious Partiality, have omitted the Territories of Cheyt Sing. I allotted what I thought (and *still think*) a very moderate Portion of the newly-incurred Burthen of the War to him: Had my Colleagues been of a different Opinion, they might have proposed a Modification, or a total Exemption. They did neither. While they admitted the Necessity of the actual Demand, they did *not* object to the Sum: And the *Decision of future Right* (on which there appeared some Shadow of Hesitation) *was*, by General Consent, *referred to our Superiors* (see 2d Report, 26th Page). On this Right our Superiors *did never decide* while Cheyt Sing continued at Benares, though our Minutes on the Subject arrived in London the 12th of April 1779.—*Their Silence had all the Effect of Acquiescence*. The Rajah is said to have asserted, that I had promised this Exaction should continue *but for One Year*, and *should not be drawn into Precedent*.—I now most solemnly declare, *that I never made any such Promise*; and that I had effectually precluded myself from making it, the Minutes themselves will testify: for in our First Debate on the Subject, I agreed to add to my original Motion for raising the Troops the following Words, "*and to be disbanded at the End of the War*," (see 2d Report, 26th Page). After this I must have affected a Spirit of Prophecy, to pretend that the Demand should exist *only for One Year*. The War continued in 1779, and the Demand was accordingly renewed. It met with Prevarication, Excuse, and Procrastination on the Part of the Rajah. On the Third Year his Delays grew still more perplexing, and indicated the strongest Signs of determined Disobedience. See all the Bengal Consultations of that Period, as exhibited in the 2d Report of the Select Committee. By this Time I considered myself as *acting on the surest Grounds*. The Letters from our Superiors, in Answer to those of the Two preceding Years from us, contained no One Sentence which could be deemed a Disapproval of our Transactions with the Rajah of Benares. As the Subject had been fully and repeatedly before them, it was impossible to suppose they had overlooked it. *With my Hands thus strengthened by the implied Approbation of my Employers*, as the Exigencies of the War grew daily more pressing, I moved in Council, "That Cheyt Sing might be required to furnish such Cavalry as he could spare, with an express Declaration to him, that they should be returned at the Close of the War:" and this was done by the Advice and Recommendation of Sir Eyre Coote. The Rajah certainly maintained a considerable Body of Cavalry. *He admitted Thirteen hundred*, and I know they were many more. In the War with the Rohillas he furnished Five hundred to his then Sovereign, Shujah Ud Dowlah (see Supplement to 2d Report, 12th Page), and General Clavering would have recommended to him to keep up *Two Thousand*: This was the Number I demanded; but on his repeated Representations, I gradually lowered my Requisition to *One thousand*. He acknowledged to have *Thirteen hundred*, and yet offered but *Five hundred* to the Company. My Patience was exhausted by such repeated Acts of Contumacy, and I determined (I

repeat it) to convert them into an Advantage for the Company's Affairs. I considered the Light in which such Behaviour would have been viewed by his native Sovereign, and I resolved he should feel the Power he had so long insulted. Forty or Fifty Lacks of Rupees would have been a moderate Fine for Shujah Ud Dowlah to exact; he who had demanded 25 Lacks for the mere Fine of Succession, and received 20 in Hand, and an increased Rent tantamount to considerably above 30 Lacks more: And therefore I rejected the Offer of Twenty, with which the Rajah would have compromised for his Guilt when it was too late. If I ever talked of selling the Company's Sovereignty over Benares to the Nabob of Oude, it was but *in terrorem*; and no subsequent Act of mine warrants me to have seriously intended it: If I ever threatened to dispossess the Rajah of his Territories, it is no more than what my Predecessors (without Rebuke from their Superiors, or Notice taken of the Expression) had wished and intended to have done to his Father, even when the Company had no Pretensions to the Sovereignty of the Country; it is no more than such a *legal Act of Sovereignty* as his Behaviour justified, and as I was justified in by the Intentions of my Predecessors. If I pretended to seize upon his Forts, it was in full Conviction that a Dependant on the Company, guaranteed, maintained, and protected in his Country by the Company's Arms, had no Occasion for Forts, had no Right to them, and could hold them for no other than suspected and rebellious Purposes: None of the Company's other Zemindars are permitted to maintain them; and even our Ally, the Nabob of the Carnatic, has the Company's Troops in all his Garrisons; Policy and Public Safety absolutely require it. What State could exist, that allowed its inferior Members to hold Forts and Garrisons, independent of the superior Administration?—It is a Solecism in Government to suppose it.

“ P A R T III.

“ I REMOVED Mr. Fowke from Benares on Political Grounds, against the Orders of the Court of Directors, because I thought it necessary that the Resident there should be a Man of my own Nomination and Confidence; I avow the Principle, and think no Government can subsist without it. The Punishment of the Rajah made no Part of my Design in Mr. Fowke's Removal, or Mr. Markham's Appointment, nor was his Punishment an Object of my Contemplation at the Time. I removed Mr. Fowke, to appoint Mr. Markham; an Appointment of my own Choice, and a Signal to notify the Restoration of my own Authority, as I had before removed Mr. Fowke, and appointed Mr. Graham, for the same Purpose.

“ The Charge adds, “ It was soon after that I prepared for a Journey to Benares.” This is not true:—The Interval of Time is evidently shortened, for the Purpose of forcing the Inference before drawn from my Appointment of the new Resident. This Appointment was made early in February, and I left Calcutta in July.

“ I deny that the Design of exacting a Penalty from Rajah Cheyt Sing for his contumacious Behaviour, was either “ wicked” or “ perfidious,” as is stated in the Charge. I admit that I did not enter it on the Consultations, because it was not necessary; even this Plan itself of the Fine was not a fixed Plan, but to be regulated by Circumstances, both as to the substantial Execution of it, and the Mode: Nay, I will aver, that I had drawn up a Review of our whole Political Connexions, extended even as far as Guzerat, and given a Copy of it to Mr. Wheler, containing a Variety of Modes, from which I meant to draw some Relief of Alliance, Power, or Finance, to save them from the Ruin which was accumulating around them; and this Plan of the Fine, as I recollect, made a Part of it. But was it necessary, as an Official Obligation upon me, or would it have been prudent that I should enter upon our Consultations every speculative Resource to which the Exigency of our Affairs might eventually compel me to have Recourse? And was I precluded from availing myself of any such Resources, when the Occasion required them, and the Means were afforded me, because the Design of them had not before been entered on our Consultations? In what Part of the Company's Standing Orders, nay, I may add, in what Code of Common Sense, is such a Rule prescribed to me? In this Charge I am blamed for “ the long Concealment, and “ late Communication” of this Intention (viz. of the Fine), Time not being allowed to my “ Colleague to consider the Nature and Consequences of such a Project, or to advise any Precaution concerning the same.”—The Grounds on which this Charge is founded are, that although I communicated my Intentions to Major Palmer in June, it does not appear that I communicated them to Mr. Wheler till the Eve of my Departure. It is supposed that the Eve means the preceding Night: Assuredly it will admit of a larger Construction. From my Recollection, at this Distance of Time, I will venture to affirm, that my Intentions were communicated to Mr. Wheler *some Weeks before my Departure*; I believe I may say, almost as soon as they were formed, for I was then in the Habit of the most confidential Intercourse with him; nay, I think it probable that they were communicated to him even before they were to Major Palmer, as that Gentleman arrived in Calcutta only a very short Time before my Departure, which was on the 7th of July. I avow my Intention of fining Cheyt Sing Fifty Lacks. This was the “ Improvement of the Interest which “ the Company possessed in the Zemindarry,” alluded to in my Minute on the Occasion. And as I own myself not to have foreseen Cheyt Sing's Flight or Rebellion, I *did* conceive it possible to have formed an Arrangement of this Kind “ *with the Rajah*,”—and it was certainly “ fit “ and consonant to the mutual Engagements subsisting between the Company and the Rajah.” This

This I will prove at large : A *Fine* was what I meant to exact—and *to fine* was a *Right* expressly reserved to the Company (see a Secret Letter from the Governor General and Council of Bengal, dated 15th January 1776—i. e. General Clavering, Colonel Monson, and Mr. Francis) : “ We thought it advisable to fix a proper Weight and Standard, to be invariably observed by the Rajah in all Money which might be coined, on Pain of forfeiting the Mint, and being liable to any Penalty the Board might think fit to impose, on the First Instance of any Deviation.” The same Sovereignty which could dictate so authoritatively on one Occasion, must have had an equal Right in others ; and therefore the Exaction and Payment of a Penalty was *consonant to the Engagements between the Company and the Rajah*. Shujah ud Dowlah levied a *Fine*, on the Death of the Father, for investing the Son. Here then we have a *Second Right* made over, with the other Appendages of Sovereignty, to the Company. Had not our powerful Interposition prevented the Consequences of Bulwant Sing’s Treachery to his Master, in 1764, Shujah ud Dowlah would probably have exerted, with signal Rigour, a *Third Right of Fining*, and have furnished me with a Precedent full in Point to my Treatment of Cheyt Sing. The Inference therefore is, that the *Right of Fining* was general—perhaps arbitrary ; but for *that* I am not responsible : It is a Defect woven into the Texture of the Mogul System—It will no Doubt be most happy for the Inhabitants of Asia, when the despotic Institutes of Jengheez Khawn or Tamerlane shall give Place to the liberal Spirit of a British Legislature ; and I shall be amply satisfied in my present Prosecution, if it shall tend to hasten the Approach of an Event so beneficial to the great Interests of Mankind. In my Narrative of the subsequent Transactions between Cheyt Sing and myself, composed while all the Circumstances were strong in my Recollection, I have detailed every Particular necessary for a complete Comprehension of the painful Part I had to support.—To the *Colourings* which are put upon many of my Expressions by the Subtilties of Construction, I shall make few or no Objections. Truth is my immediate Aim, and I cannot step out of my Way to glean up every casual Infination ; otherwise I might observe, that I cannot well conceive why, on my Refusal to see the Rajah, it should be pronounced that I “ *rudely and insolently forbade his Visit*.” Is it rude to be peremptory ? or is Resolution Insolence ? if he were a *great Prince*, I, as representing his Sovereign, should seem a *great King*. I gave the Rajah in Writing my Charges respecting his Conduct, “ *informal*” perhaps, and “ *irregular* ;” for where should I have acquired the *legal Precision* requisite for a *Special Pleader* ? but certainly *substantial*, and *momentous*, and *just*. I have said that his *Answer* was “ not only unsatisfactory in Substance,—but offensive in Style.” I repeat the Assertion *now*, that near Five Years since elapsed have cooled my Resentments (if I ever had any) and that my Feelings are no longer interested by concomitant Circumstances. It was filled with shuffling Excuses and palpable Falsehoods. It stated that the Rajah had furnished the additional Five Lacks of Rupees “ *with the utmost Readiness* ;” and that he had “ *taken a Penalty Bond* from his Aumils that “ *they should keep no Thieves in their Districts*.” Was all this *true*, or *satisfactory*, or *decent* ?—I had now Reason to suspect that the Rajah would never come to such “ *an Arrangement*” as I wished, till he had, at least in some slight Degree, felt the Hand of Authority ; and I accordingly put him under an Arrest. No Insult, no Menace, no Violence of any Kind, was intended or applied : I even wrote to him to calm any Apprehensions for Personal Safety which he might be weak enough to entertain ; and I received his Answer, that “ *he was entirely free from Concern and Apprehension*.” What followed I need not here particularize. My Conduct was regulated by Events which I could neither foresee nor controul. All my original Measures were broken through, all my Designs annihilated, by the barbarous Massacre of my unarmed Troops, and the unexpected Flight of Cheyt Sing. Every Step which I had taken before that fatal Moment is an incontrovertible Proof, that I had *formed no Design* “ *of seizing upon the Rajah’s Treasures, or of deposing him* ;” and certainly, at the Time when I *did* form the Design of making the Punishment of his former ill Conduct subservient to the Exigencies of the State, by a large Fine, “ *I did not believe him guilty of that premeditated Project for driving the English out of India, with which I afterwards charged him*.”—Had I been forewarned of this Project in the Extent which I afterwards discovered, I most assuredly would have anticipated his Schemes with more solid Effect, and *without Personal Hazard* : I would never have proposed to “ *settle his Zemindary upon him*,” on any Footing at all. Nothing therefore can equal my Surprise at the Tenor of this Part of the Charge, except my Incapacity to answer, without Contradiction, Two Accusations *totally contradictory*. In the 13th, 14th, and 15th Clauses of this 3d Section of the 3d Charge, I am accused of *Implacability* to all the Rajah’s humble Submissions ; of *Perseverance* in rejecting all Accommodation (though several Offers were made) ; and of “ *being filled with Insolence and Malice*,” in not replying to the Rajah’s Letters, after he had so notoriously drawn the Sword of Rebellion. And in the 27th Clause of the same Section of the same Charge, it is asserted, that if I “ *had conceived him (Cheyt Sing) to have entertained traiterous Designs against the Company, from whom he held his tributary Estate, or had been otherwise guilty of such enormous Offences as to make it necessary to take extraordinary Methods for coercing him, it would not have been proper to settle upon such a Traitor and Criminal the Zemindary of Benares, or any other Territory, upon the most eligible, or upon any other Footing whatever*.” Thus am I in one and the same Charge accused of being *severe*, and told it “ *would not have been proper*” for me to have been *lenient* ;—Censured for intending to settle the Zemindary upon Cheyt Sing, and Censured for having rejected all

all his Offers towards a *Settlement*.—I can only answer to this formidable Dilemma, that so long as I conceived Cheyt Sing's Misconduct and Contumacy to have *me* rather than the Company for its Object, at least to be merely the Effect of pernicious Advice or misguided Folly, without any formal Design of openly resisting our Authority, or disclaiming our Sovereignty, I looked upon a considerable Fine as sufficient both for his immediate Punishment, and for biading him to future good Behaviour: I therefore entertained no serious Thoughts of expelling him, or proceeding otherwise to Violence; but when *he* and his People broke out into the most atrocious Acts of Rebellion and Murder; when the *Jus fortioris et Lex ultima Regum* were appealed to on his Part (and without any sufficient Plea afforded him on mine) I from that Moment considered him as the Traitor and Criminal described in the Charge; and no Concessions, no Humiliations, no Submissions, could ever after induce me "to settle the Zemindary of Benares, or any other Territory, upon him, on any Footing whatever."

"Minutes delivered by me at the Council Board during the Time that the Cession of the Sovereignty of Benares and Gauzipoor was negotiated with the Vizier, are quoted *against me* in the 28th Clause of this Part of the Charge. The Minute in Question does undoubtedly contain my Sentiments at that Period, but those *Sentiments* went for *Nothing*: General Clavering and his Majority decided against my Opinion; "*the Measure is strictly and exclusively their own*;" I, therefore, have nothing to do with it. But when, by the Death of Two who composed that Majority, I became somewhat more than a mere Pageant in the Administration, I necessarily resumed the Business where they had left it; I considered Cheyt Sing precisely what *they had made him*, a tributary Landholder; not what *I would* have made him (but was over-ruled) an independent Prince, and a powerful Ally, placed as a Barrier between the Vizier and Government of Bengal.—I would have caused the Company's Tribute to be received at Patna within the Company's Provinces: *They* caused it to be received *at Benares*.—I would have renounced the Sovereignty of his Country: *They* assumed it. The Sovereignty which they assumed, it fell to my Lot, very unexpectedly, to *exert*; and whether or not "such Powers, or Powers of that Nature, were delegated to me by any Provisions of any Act of Parliament," I confess myself too little of a Lawyer to pronounce. I only know, that the Acceptance of the Sovereignty of Benares, &c. is not acknowledged or admitted by any Act of Parliament; and yet, by the particular Interference of the Majority of the Council, the Company is clearly and indisputably seized of that Sovereignty. That it, therefore, the *Sovereignty* of Benares, as ceded to us by the Vizier, have *any Rights whatever* annexed to it (and be not a mere empty Word without Meaning) those Rights must be such as are held, countenanced, and established by the Law, Custom, and Usage of the Mogul Empire, and not by the Provisions of any British Act of Parliament hitherto enacted. *Those Rights* (and none other) I have been the involuntary Instrument of *enforcing*. And if any future Act of Parliament shall positively, or by Implication, tend to annihilate those very Rights, or their Exertion, as I have exerted them, I much fear, that the boasted Sovereignty of Benares, which was held up as an Acquisition almost obtruded upon the Company, against my Consent and Opinion (for I acknowledge that, *even then*, I foresaw many Difficulties and Inconveniences in its future Exercise), I fear, I lay, that this Sovereignty will be found a Burthen instead of a Benefit; a heavy Clog rather than a precious Gem to its present Possessors. I mean, unless the Whole of our Territory in that Quarter shall be rounded and made an uniform compact Body, by One grand and systematic Arrangement; such an Arrangement as shall do away all the Michiels, Doubts, and Inconveniences (both to the Governors and the Governed) arising from the *Variety* of Tenures, Rights, and Claims in all Cases of Landed Property and Feudal Jurisdiction in India; from the Informality, Invalidity, and Instability of all Engagements in so divided and unsettled a State of Society; and from the unavoidable Anarchy and Confusion of different Laws, Religions, and Prejudices, moral, civil, and political, all jumbled together in One unnatural and discordant Mass. Every Part of Hindostan has been constantly exposed to these and similar Disadvantages ever since the Mahomedan Conquests. The Hindoos, who never incorporated with their Conquerors, were kept in Order only by the strong Hand of Power. The constant Necessity of similar Exertions would increase at once their Energy and Extent, so that Rebellion itself is the Parent and Promoter of Despotism.

"Sovereignty in India implies nothing else; for I know not how we can form an Estimate of its Powers but from its visible Effects—and those are every where the same, from Cabool to Affam. The whole History of Asia is nothing more than *Precedents* to prove the invariable Exercise of arbitrary Power. To *all* this I strongly alluded in the Minutes I delivered in Council, when the Treaty with the new Vizier was on Foot in 1775; and I wished to make Cheyt Sing independent, because in India *Dependance* included a Thousand Evils, many of which I enumerated at that Time, and they are entered in the 9th Clause of the First Section of this Charge. *I knew the Powers with which an Indian Sovereignty is armed, and the Dangers to which Tributaries are exposed*. I knew, that from the History of Asia, and from the very Nature of Mankind, the Subjects of a despotic Empire are always vigilant for the Moment to rebel, and the Sovereign is ever jealous of rebellious Intentions. A *Zemindar* is an Indian Subject, and *as such* exposed to the common Lot of his Fellows. "*The mean and depraved State of a mere Zemindar*" is, therefore, this very Dependence above-mentioned on a despotic Government—this very Proneness to shake off his Allegiance, and this very Exposure to continual Danger from his Sovereign's Jealousy, which are con-

sequent on the Political State of Hindostanic Governments. Bulwant Sing if he *had been*, and Cheyt Sing as long as he *was*, a *Zemindar*, stood exactly in this "*mean and depraved State*," by the *Constitution of his Country*. I did not make it for him, but would have secured him from it. *Those who made him a Zemindar* entailed upon him the Consequences of *so mean and depraved a Tenure*. Ally Verdy Khaun and Cossim Ally *fined* all their Zemindars, on the Necessities of War, and on every Pretence, either of Court Necessity, or Court Extravagance.

"I have but few Words to alledge in my own Behalf on the Depositions, Affidavits, and other Testimonies annexed to my Narrative. Every Man will see that in so singular a Situation I could do no otherwise. If the Means I made use of were *the best in my Power*, I stand acquitted of Neglect or ill Intention. The Persons who have given their several Testimonies on the Occasion were not selected for the Purpose *by me*, but are such as were on the Spot, and who owed their Knowledge of the Transactions either to actual Inspection, or to sharing a Part of the common Difficulties: How much of the Evidence as was attested upon Oath could be "*not fit or decent to be taken by a British Magistrate, or to be transmitted to a British Government*," I am still at a Loss to comprehend. I have always thought that an Affidavit might be sworn to *before any of His Majesty's Justices of the Peace*, whether *in or out* of the particular and local Jurisdiction of that Magistrate. British Subjects could certainly swear with Propriety *before no other Person whatever*, while such a Magistrate was on the Spot; and if I had neglected this Precaution, I cannot doubt but it would have been converted into a much more formidable Charge against me, "that, with every Opportunity for completely vindicating all the Steps I had taken in this Affair, I had most *shamefully*, and *fraudulently*, and *unjustifiably* omitted to have the several Circumstances detailed in Writing and upon Oath, "*although One of His Majesty's Justices was upon the Spot at the Time*." In a Matter of mere Affidavit (no Trial in a Court of Justice then pending) I never have heard that it was usual, or expected or necessary to have a Person present "to object to the Competence or Credibility, or Relevance of the Affidavit." To the Admission of *such Objections*, a Justice of Peace, *out of his local Jurisdiction*, is certainly *not competent*: It alters the very Nature of the Function; and would constitute a Judicial Process between Two Parties, before a Judge who holds no Court, and to whom neither Party is amenable. But these are Sophistries totally unconnected with the main Question. I deemed Cheyt Sing a *Rebel* and a *Traitor*; I accordingly rejected his Submissions, and expelled him from his Zemindary. The Affidavits are meant as *Proofs* of his Rebellion for the Satisfaction of *others*: *My own Conviction* wanted no such Assistance; nor would any Objections *he could have made* ever shake a Tittle of my Opinion. My Superiors, the Court of Directors, in their Letter to Bengal of the 28th January 1784, have said, "After the Resistance which the Rajah had made, *no Countenance could be consistently shewn him*; nor was any Measure for his Restoration every proposed." To them, therefore, and to *their* Sense of the Rajah's Guilt, I may appeal for the Propriety of transmitting those Testimonies. It was a Mass of Evidence, which on the Whole proved the Sufficiency of the Grounds on which I have acted.

"P A R T IVth. and Vth.

"I AM here accused of having caused a *Second*, and then a *Third* "Revolution in Benares;" That is, the Removal of a Collector or Receiver General of the Province is put on the Footing of a Dispossession of the immediate Landholder and Zemindar; which amounts nearly to asserting, that the Dismission of a Ministry in this Country is *as complete a Revolution* as the Abdication of James the Second. The Expulsion of Cheyt Sing was indisputably a "Revolution." I have always called it so. The subsequent Arrangements were mere internal Corrections of a System which Experiment proved to be imperfect. When a new System was to be formed with the Successor of Cheyt Sing (who, not being his Heir, *had no Claim of Right*) I saw no Objection to making the Company's Interests my first Principle of Action. The early Accumulation of too much Wealth had been Cheyt Sing's Ruin; it had buoyed him up with extravagant and ill founded Notions of Independence, which I very much wished to discourage in the future Rajah. Some Part therefore of the superabundant Produce of the Country I turned into the Coffers of the Sovereign, by an Augmentation of the Tribute. To the Mint, and the Exercise of Criminal Justice, we were exclusively entitled by the very *Act of Cession from the Vizier*; and they were both given up to Cheyt Sing as a Matter of Personal Favour *only*: That we had not given up to him the *Right* as well as the *Function*, is proved by the Paragraph above quoted, where an arbitrary Penalty, and *actual Deprivation*, are denounced against him for the very first Abasement of Coin, by the Authority of the Council, without my Participation in the Act. These Two, therefore, I resumed, from Conviction of it's being proper and necessary so to do. The *One* is held by the British Resident, nominated and appointed by the Company, Mr. Fowke, by whom I believe it to have been most honourably conducted; the *other* I entrusted, with some new and necessary Modifications, to a Mahomedan of the first Abilities in India, and of the most unimpeachable Integrity; under whose Administration Tranquillity, good Order, and Security have taken Place in a Degree never before experienced in Benares. The Inhabitants have greatly increased since that Period, and upwards of 2,500 Houses (as he informs me in a Letter I have lately received from him) have been added to the City. To obviate Misunderstanding, I must observe, that the Administrator of Criminal Justice in Benares has always been of the Mahomedan Religion, and was always appointed by Shujah ud

Dowlah himself to the Day of his Death. Of the Events subsequent to Cheyt Sing's Expulsion, I conceive a very slight Account to be sufficient. I settled the Affairs of the Zemindary at that Period with as much Care and Circumspection as the *Shortness of the Time, and the Variety of my Employments*, would permit. It happened (for which I was by no Means blameable) that the Persons in whom I entrusted the executive Powers of the Zemindary, and whom I chose because they were the nearest Relations to the Rajah, were inadequate to the Duty. I had Reason to doubt their Integrity as well as Capacity, and therefore I caused them to be removed. A *Second Experiment* proved equally unsatisfactory, and from the same Causes. I was therefore reduced to exert the same Remedy; but during these necessary, and *by no Means extraordinary*, Changes of Ministry, the Rajah himself and his People were in perfect Security: The very Removal of the effective Administrator, on his oppressive Conduct and Official Peculation, has operated on the Minds of the Inhabitants very greatly in Favour of British Integrity and good Government. It is a Fact, and I can adduce very many Gentlemen now in London to confirm my Assertion, that the Countries of Benares and Gauzipoor were never, within the Memory of Englishmen, so well protected, so peaceably governed, or more industriously cultivated, than at the present Moment: And as for the City of Benares, I appeal to the Letters which have been lately received from Madajee Scindia, by His Majesty and the East India Company, and which were written Months after my Departure, to prove, that my Regulations had not only contributed greatly to the Peace and good Order of that City, but had extended the Credit and Reputation of the English Government to every Part of Indostan and Deccan.

Die Martis, 26^o Februarii 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons that they might proceed with their Evidence.

The Managers for the Commons informed the House that they should begin with what they left unfinished Yesterday, and first produce the Form of the Commission to former Presidents of the Council at Bengal. That upon Inquiry they found that Governor Cartier, who immediately preceded Mr. Hastings as President of the Council at Bengal, had no Commission as President, but was appointed to that Office in the same Manner Mr. Hastings himself was: Therefore they would produce the Commission to Mr. Verelst, who was the immediate Predecessor of Mr. Cartier, and also the immediate Successor of Lord Clive, the latter of whom had been appointed by a similar Commission with that now about to be produced.

For this Purpose they called Mr. ROBERT HUDSON, who produced a Book, intituled, "Bengal Dispatches;" which being delivered in, the following Extracts from it were read by the Clerk, viz. Paragraph 7. of the Company's General Letter to Bengal, dated 12th January 1768, Page 388 of the said Book—also the Company's Commission, constituting Harry Verelst Esq. President and Governor of Fort William, Page 394 of the said Book; and the same are as follow:

" Our President and Council at Fort William
in Bengal.

12th January 1768.
Sent per Dutton,
Queen,
Ankerwyke.

7. " By the Ship Dutton we send a Commission under the Company's Seal; and an attested Copy thereof in the Queen's Packet, constituting and appointing the President and Governor and the rest of the Council at our Presidency of Fort William in Bengal, in the Order and in the Manner they are hereunder directed and described, viz.

Harry Verelst Esquire,	-	-	-	President and Governor.
John Cartier Esquire,	-	-	-	Second in Council, and to succeed to the Government in case of a Vacancy therein, by the Decease, or otherways, of Mr. Verelst.
Colonel Richard Smith,	-	-	-	Third, but not at any Time to rise higher in the said Council than Third.
Mr. Francis Sykes,	-	-	-	Fourth.
Mr. Richard Becher,	-	-	-	Fifth.
Mr. James Alexander,	-	-	-	Sixth.
Mr. Claud Russell,	-	-	-	Seventh.
Mr. Thomas Rumbold,	-	-	-	Eighth.
Mr. William Aldersey,	-	-	-	Ninth.
Mr. Thomas Kelsall,	-	-	-	Tenth.
Mr. Charles Floyer,	-	-	-	Eleventh.
Mr. Alexander Campbell,	-	-	-	Twelfth, and last of the said Council.

" 12th January 1768.
Per Dutton,
Queen,
Ankerwyke.

" The United Company of Merchants of England trading to the East Indies, to all to whom these Presents shall come, send, greeting. Know ye that the said United Company, reposing especial Trust and Confidence in the Fidelity, Prudence, Justice, and Circumspection, of Harry Verelst Esquire, have made, constituted, and ordained, and, by these Presents, do make, constitute, and ordain the said Harry Verelst Esquire to be President and Governor of and for all the said Company's Affairs in the Bay of Bengal, and other the Places and Provinces thereunto belonging in the East Indies, and also to be our Governor and Commander in Chief of our Fort William in the Bay of Bengal, and all the Towns and Territories thereunto belonging, and of all and singular the Forts, Factories, and Settlements, Lands, Territories, Countries, and Jurisdictions, belonging to us within the Subahship of Bengal, and of all the Forces which now are, or hereafter may or shall be employed for the Service of the said United Company, in the said Forts, Towns, and Places, and to execute all and every the Powers and Authorities thereunto appertaining, by Order and Direction of the Court of Directors of the said United Company for the Time being, and to

continue

continue in the Exercise of the same during our and their Pleasure, and until the contrary thereof shall be signified, under the Seal of the said United Company of Merchants of England trading to the East Indies, or under the Hands of Thirteen or more of the Court of Directors of the said Company for the Time being. And to the End the said Harry Verelst may be better enabled to order and manage all the Affairs of the said United Company, we do, by these Presents, constitute and ordain John Cartier Esquire to be Second of our Council of Fort William, next after our said President Harry Verelst; Colonel Richard Smith to be and continue Third of our said Council, and not to rise to a superior Rank therein; Mr. Francis Sykes to be Fourth, Mr. Richard Becher to be Fifth, Mr. James Alexander to be Sixth, Mr. Claud Russell to be Seventh, Mr. Thomas Rumbold to be Eighth, Mr. William Aldersey to be Ninth, Mr. Thomas Kellall to be Tenth, Mr. Charles Floyer to be Eleventh, and Mr. Alexander Campbell to be Twelfth, and last of our said Council of Fort William, for governing and managing all the said Company's Affairs in Bengal, and the Places and Provinces belonging to us as aforesaid; and we do hereby give and grant unto our said President and Governor Harry Verelst, and to our Council aforesaid, or the major Part of them (the Council being duly summoned), full Power and Authority from Time to Time, to rule and govern all and every our Factors and Servants under the said Presidency, and all the Soldiers and Inhabitants of our said Fort William, and all the Towns and Territories thereunto belonging, and of all and singular the Forts, Factories, and Settlements, Lands, Territories, Countries and Jurisdictions belonging to us within the Subahship of Bengal, to administer lawful Oaths as Occasion shall require, and to do and perform all such other Acts and Things, and to use and exercise all such other Powers and Authorities as the said President and Governor, and his Council, in their several and respective Places, where the said United Company have or shall have Factors, or any Places of Trade, are authorised to do, according to such Instructions and Directions as the said Harry Verelst, our President and Governor, and Council aforesaid, shall, from Time to Time, receive, under the Hands of Thirteen or more of the Court of Directors of the said United Company for the Time being. And we the said United Company do hereby order and require all our Factors, Servants, Officers and Soldiers within the Limits of the said Presidency, and all the People and Inhabitants of the said Fort William, and all the Towns and Territories thereunto belonging, to *conferm, submit and yield due Obedience unto him the said Harry Verelst*, our said President and Governor, and his Council accordingly. And forasmuch as it is altogether necessary, that in case of the Death or Removal of the said Harry Verelst, our Presidency should be provided for the Defence and Government thereof, we do therefore, by these Presents, ordain and appoint, that in such Case the said John Cartier Esquire shall immediately be and succeed in the Place and Charge of President and Governor of Fort William aforesaid; and, in case of his Death or Removal, the next in Degree of Council below the said Colonel Richard Smith shall succeed in the said Presidency and Government, in as full and ample Manner, and with as large and ample Powers, Privileges, and Authorities, as are hereby granted unto the said Harry Verelst, until our further Pleasure be known therein. And we do hereby revoke, repeal, annul, and make void, every former Commission or Commissions, given and granted by us, whereby any other Person or Persons was and were constituted and ordained President and Governor, and any other Persons therein named were constituted and ordained to be of the Council at Fort William aforesaid. In Witness whereof, we the said United Company have caused our common Seal to be affixed to these Presents the Twelfth Day of January, in the Eighth Year of the Reign of his Most Excellent Majesty George the Third, by the Grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord One thousand seven hundred and sixty-eight.

L. S.

Signed by Order of the Court of Directors of the said United Company.

Rob. James, Secretary.

To prove that the Country of Bulwant Sing was always reckoned a Zemindary, that Bulwant Sing was considered as a Zemindar, and that he held and enjoyed the same through Shujah ul Dowlah, Nabob of Oude, and Vizier of the Mogul Empire*,

* Vide 1st Par. of the 1st Article of the Charge.

The Witness was directed to produce the Bengal Secret Consultations of the 6th December 1764.

The Managers for the Commons acquainted the House, That it might tend to Elucidation, if they stated, that about this Time, namely, the latter End of the Year 1764, a Project was formed for obtaining the Sovereignty over Bulwant Sing for the Company; which Project, however, was given up, and the Sovereignty left with Shujah ul Dowlah, the same not being transferred to the Company till some Years after, viz. in the Year 1775.

Then the following Extract from the Consultation, 6th December 1764, was read by the Clerk, and is as follows:

“ Fort William, 6th December 1764.

At a Consultation; Present,
The Honourable John Spencer Esquire, President;
Charles Stafford Playdell Esquire,
Warren Hastings Esquire,
John Johnstone Esquire,
Samuel Middleton Esquire,
Ralph Leycester Esquire,
John Burdett Esquire.

“ The Book of Standing Orders on the Table.

“ The Consultation of the 26th *ultimo*, being wrote fair, was now read, and approved.

“ Mr. Vansittart having since our last Meeting embarked for Europe, and Mr. Spencer received from him the Charge of the Government, he now takes his Seat as President of the Council, after having the Oath of Office administered to him.

“ Received the following Letter from the Commander in Chief of the Army.

“ To the Honourable Henry Vansittart Esquire, President and Governor, &c. Council of Fort William.

“ Gentlemen,

“ Before my Arrival here, Bulwant Sing wrote me a Letter, offering his Services, and that he would pay the Revenues of the Country regularly, the same as he did to the Vizier. I desired to see him; but he would not come, unless I sent him Articles signed, which I did; knowing well that if I left him in our Rear with 15 or 20,000 Horse which he has, he would prevent our Grain from coming to us, and every Thing else, did the Army march to Iliabad; notwithstanding he did not come, but put me off from Day to Day, which made me send Munier Dowla from the King to him, and also Captain Stables from myself. And now that he finds the King is under our Protection, and that no Peace is to be made with the Vizier, he has began to cross his Troops to this Side, and has promised to be with me the Day after To-morrow, and proceed, whenever I please, with the Detachment that is to take Chinargur. He has stopped Grain going to that Fort, and has ordered his People to seize such of the Vizier's Troops as they may meet with in the Country. As the King wished so much for this Man's joining us, I shall look upon it a lucky Circumstance if he keeps his Word; for, if I was obliged to drive him out of the Country, it would take up a great deal of Time, having the Ganges to cross again; and I neither could set about taking Chinargur, or march to Iliabad, till that was done, for the Reasons already mentioned; besides this, there are very few People in the Country who had any Appointments, but such as have been turned out formerly by Bulwant Sing, and have no Weight in the Country or Troops at Command; so that the Consequence of putting any of them as Phousdars or Jemadars to collect the Revenues, and assist the King against any of his Enemies, would be keeping the Army here I don't know how long, and would require, at all Times, a stronger Detachment of the Troops remaining in the Country than you would choose, or would, in all Probability, be convenient for the Honourable Company to keep up. Upon my receiving your Letters of the 6th current, I waited on the King, who is very happy at his present Prospect, and will do any Thing we please to prescribe to him. He has wrote you Letters which I now send, and were wrote before he knew of your Intentions towards him, as was also the enclosed Paper, which he desired me to forward to Calcutta, and have been by me for some Days, waiting till I would receive a Letter from the Board, by which you will find his Proposals, in a great Measure, agree with your Inclinations. I moved our Camp Three Cofs Yesterday, so as to be in Front of the King's Encampment, and between him and Iliabad. He is to write immediately to the Chiefs of the Rohillas, and all his Friends, not to join the Vizier; and assures, that if he once got Benibahadre and Bulwand Sing to come in, the Vizier would leave the Country immediately, and never make any Head again; and, at any Rate, if once we got Iliabad, and take Chinargur Fort, he will be answerable soon after to dispossess the Vizier of all the Rest of this Country. I am convinced, from what I have seen and heard, the Vizier will not agree to your Demands, and must be drove out of the Possession of his Country. The Methods you propose for doing of it are undoubtedly the best could be thought of, and what must, I think, succeed. I shall therefore, before my Departure from the Army, which I propose, with your Consent, shall be the Beginning of January, so as to go home with the Detachment of the Eighty-ninth on the February Ship Captain (Maitland), do my utmost to leave Affairs here in the following Situation; how soon a Boat from Patna arrives with Stores, which I expect daily, I will send a proper Detachment from the Army to take Chinargur, and when it is taken, shall put a proper Garrison of the Troops in it. I am to write to Mr. Billers this Night to send Grain up for the Army, which I intend to lodge in that Fort. In a few Days hence, after I have waited on the King, I shall proclaim him Superior and Possessor of all Shuja Dowla's Country, and send Letters jointly with him to all the Rajahs, &c. between this and Delly, acquainting with it, and desiring they will pay due Obedience to the King, and not join Shuja Dowla, but assist in driving him out of the Country. But, before this is done, I shall take care to have it from under the King's Hand, that he holds these Rights from the English; that he will agree to whatever the Governor and Council of

Calcutta

Culcutta will prescribe to him ; and pay the Honourable Company yearly such Part of the Revenues of the Country, as the Presidency of Fort William will desire. I will then proceed to Iliabad with the Army, taking care that we shall, on the March, be properly supplied with Provisions ; and that our Boats can proceed up also : And, after being in Possession of that Place, I think the Troops should go no further ; nor do I imagine there will be any Occasion for it. I would recommend leaving a strong Detachment of the Troops at Iliabad, till the Army is properly established, and that Shuja Dowla has no more Power or Country ; and afterwards leave always with the King a small Detachment as he desires, and to be at his Expence, which he also proposed. This, Gentlemen, is the Situation I intend to leave Affairs in when I take my Departure from the Army, if my Time will permit of it ; and wish it may meet with your Concurrence and Approbation.

" I am, with Esteem,
Gentlemen,

" Camp at Banarafs,
the 22d Nov. 1764.

Your most obedient,
Humble Servant,

Hector Munro."

" Read the Translations of Paper of Proposals from the King, enclosed therein, as follows :

" If this Country is to be kept, put me in Possession of it, and leave a small Detachment of the Troops with me, to shew that I am protected by the English, and they shall be at my Expence, that if any Enemy come any Time against me, I will make such Connections in the Country, that, with my own Troops and the aforementioned small Detachment, defend the Country without any further Assistance from the English, and I will pay them of the Revenues of the Country what Sum they shall demand yearly. If the English will, contrary to their Interest, make Peace with the Vizier, I will go to Delli, for I cannot think of returning again into the Hands of a Man who has used me so ill. I have no Friends I depend on more than the English ; their former Behaviour to me will make me ever respect and regard them. Now is their Time to be in Possession of a Country abounding with Riches and Treasure. I shall be satisfied with whatever Share they please of it. The Rohillas H. H. were always Enemies to the imperious Vizier ; they are all my Friends."

" Read also Translations of the King's Letters enclosed, to the President, the Council, Major Carnac, the Nabob, and Shitabroy, representing in general that Shuja Dowla has met with the just Punishment of his Perfidy and Disobedience of his Commands ; that conformably to our Advice and Letters which he received after the Defeat from Major Munro, he separated himself from him, and remained at Benaris, and urging us to establish ourselves and him in the Possession of Shuja Dowla's Country.

" Ordered these Letters to be entered on the Books of Country Correspondence.

" And having now maturely considered the Contents of the Whole ;

" Agreed we write the following Letter in Answer to the Commander in Chief.

" To Major Hector Munro, Commander in Chief of the Army.

" Sir,

" We have received your Letter of the 22d ultimo, with the several Papers enclosed, and, having maturely considered the Contents of the Whole, we are now to give you our Sentiments and Instructions thereupon.

" We are extremely glad to find the King has joined you, and approve of the Plan which you have laid down for establishing him in the Possession of Shuja Dowla's Country, to which we are reduced by Shuja Dowla's having again refused a Compliance with our Terms, and the King's having in Consequence received our Protection. We do not however mean to enter into any Connections which would engage us further than fixing the King as aforesaid ; and altho', for the Completion of this Object, we wish not to be carried to a greater Distance than Iliabad, yet we cannot prescribe that Place as the utmost Limit to which the Army shall advance, as Circumstances may possibly intervene to render your proceeding further necessary.

" As to the King's Request for having a small Detachment of our Forces stationed with him, we shall be better able to judge of the Necessity or Propriety of such a Measure, when he is entirely established in these Possessions, and we know the State of his own Army.

☞ [" With regard to Bulwant Sing, we shall adhere to the Terms which you may have thought it necessary to make with him ; but it is our View, so far as it can be done consistently with your Engagements, to have the Power and Authority over this Rajah and his Zemindarries, vested in the Company by Sunnuds from the King, holding them under him with the same Rights, and in as full a Manner, as enjoyed by Shuja Dowla ; and that the whole Rents so collected shall be appropriated for the Use of the Company, and wrote off from the Books of the King's Revenues (*)"]

" This, you will observe, will extend the Limits beyond those mentioned in our last of Benaris and Chinargur : The Tract of Country including those Places was considered as a Cession to

() For the Purpose of more distinctly marking the Conclusion of the Matter particularly referred to by the Managers for the Commons, it has been thought proper to add a Hand pointing to the inverted Bracket], thus ☞.

to be made by Shuja Dowla on our acceding to a Peace with him; but what we now mean to require for the Company, we demand as a Conquest to be secured to them from being obliged to continue the War, and as some Recompence for the Hazard their Property has been and may be exposed to in the Course of it.

" With regard to the other Parts of Shuja Dowla's Country, as the King has been declared Supreme, he will of course take Possession, and collect the Revenues thereof; but as his Authority becomes established, we think it proper to demand, that such Proportions of them as his Necessities will permit, should be applied to assist in defraying the Expences of the War; and when he is in full Possession, we shall expect to have the Whole reimbursed us.

" In the mean Time, as the King, in some of his Letters, expresses great Distress for Money, and as his Collections may not for some Time come in, we permit, should he apply for it, that you advance him such Sums as his Exigencies may absolutely require, taking proper Care not to expose yourself to any want for the Payment of our own Army; by this, however, we only mean to contribute to the Support of his Dignity, by advancing for the necessary Expences of his Household, and not to take upon ourselves the Burthen of maintaining the Troops which he may raise; and we trust to your Discretion, as you know our Resources, for not engaging us in too heavy an Expence.

" As the King intimates, that when we have once put him in Possession, he shall be able to maintain himself with very little Assistance from us; we desire you will inform yourself, as well from the King himself, as from his Officers, what Views he has, in this Respect, and what Prospects of forming Connections, that shall answer such Expectations.

" To avoid giving any Umbrage or Jealousy of our Power to the King, or the Nobles of the Empire, we would have every Thing done under the Sanction of his Authority, and that we may appear as holding our Acquisitions from him, and acting, in the War, under his Authority, in supporting his Rights, and not he as holding those Rights from us.

" The Paper from the King, which you mention to have inclosed, was not received with your Letter, only a Translation of it. We desire, therefore, you will send us the Original, or an exact Persian Copy, and observe this Method in future.

" With respect to the Agreements entered into by the Inhabitants of Benaris for the Ransom of the City, we are glad that such an Opportunity has offered of obtaining a Reward to the Army for the very signal Service which they have rendered the Company, as well as a Compensation for the Loss which they sustained of their Baggage in the Action of the 23d of October; nor can we have any Objection to it in this particular Occasion; but as we would consider the Country, not as a Conquest, but belonging to the King, whom we have engaged to support against the common Enemy, no future Considerations of this kind should be demanded from the Inhabitants, or expected by the Army, but every Care taken to conciliate the Affections of the People.

" We have caused the Articles which we mean the King should accede to, to be drawn up in proper Form, in the Persian Language, and we now enclose them, together with an English Copy, for your Information, desiring you will present them to him for their being executed; in case he should not have already agreed to them on Mr. Marriott's Arrival, we have desired him to co-operate with you in engaging his Majesty to a Compliance with them.

" In Answer to the Intention, which you intimate, of quitting the Army with the Detachment of the 89th Regiment in order to embark for Europe; we can only say, that we must request the Continuance of your Services, as long as the Season, and your Orders from his Majesty, will possibly permit of your remaining with the Army.

" The Delivery up of Meer Cossim Sombre, and the Deserters, has always been a principal Object with us, and we must request that you will make it a Point with the King, that he will jointly with you use his utmost Endeavours for securing their Persons, and bringing them to the just Punishment of their atrocious Behaviour; and that his Majesty will, on no Account, consent to the granting them any Protection throughout his Dominions, but publicly declare them outlawed.

" We have appointed Mr. George Vansittart to proceed up to the Army with all Expedition, and attend you in the Capacity of Persian Interpreter.

" P. S. The President has wrote a Letter to the King, in Answer to those received from him, which you will receive herewith, together with an English Copy for your Information."

" The Articles mentioned in the foregoing Letter to be executed by the King.

✍️ [" In consideration of the Assistance and Fidelity of the English Company, which has freed us from the Inconveniencies we laboured under, and strengthened the Foundations of the Empire which God has given us, we have been graciously pleased to grant to the English Company our royal Favours, according to the following Articles, which shall remain firm both at present and in future.

" As the English Company have been put to great Expence, and their Affairs exposed to Danger, by the War which the Nabob Shuja ul Dowlah unjustly, and contrary to our royal Pleasure, waged against them, we have therefore assigned to them the Country of Gazypoor, and the rest of the Zemindarry of Rajah Bulwant Sing belonging to the Nizamût of the Nabob Shuja ul Dowla; and the Regulation and Government thereof, we have given to their Disposal in the same Manner as it

was in the Nabob Shuja ul Dowla's. The aforesaid Rajah having settled Terms with the Chiefs of the English Company, is according thereto to pay the Revenues to the Company, and the Amount shall not belong to the Books of the Royal Revenue, but shall be expunged from them. The Army of the English Company having joined our Standard, shall put us in Possession of Iliabad and the rest of the Countries belonging to the Nizamut of Shuja ul Dowlah, and the Revenues, excepting those of Rajah Bulwand's Zemindarry, shall be in our entire Management and Disposal.]

"As the English Company will be at a further Expence in putting us in Possession of Iliabad, and the rest of the Nizamut of the Nabob Shuja ul Dowlah, we will therefore, as we get Possession, grant to them out of our Treasury such a Proportion of the Revenues as the Exigencies of our Affairs will admit of; and when we are put in full Possession, we will reimburse the whole Expences of the Company in this Business, from the Time of their joining the royal Standard."

"Agreed further, that we write to the Chief and Council at Benaris, advising them, for their Information and Government, of our having demanded for the Company all the Rights and Jurisdiction over Bulwant Sing's Country, and enclosing them a Copy of the Articles which we have sent to Major Munro to get executed by the King, desiring, if he should not have already agreed to them when Mr. Marriott arrives, that he will accordingly co-operate with the Major in engaging his Majesty to a compliance with them.

Signed at the End,

J. Spencer.
C. S. Playdell.
R. Leicester.
John Burdett."

To prove that Rajah Cheit Sing, on the Death of his Father Bulwant Sing, succeeded to the said Territories, and was fully invested with the Government thereof in the Year 1770,

The Witnesses produced Book 4, intituled, "Bengal Letters received 21st April } 1769.
12th April } 1771."

Read, Paragraphs 30, 31, 32, and 33, from a General Letter of the President and Council at Fort William in Bengal, to the Court of Directors, dated the 31st Oct. 1770; and signed,

"John Cartier.
Claude Russell.
Charles Floyer."

[Par. 30. "In our Letter of the 11th ultimo we informed you of the Death of Rajah Bulwant Sing, and of the Measures we were taking with the Nabob Sujah ul Dowlah to induce him to settle the Succession of the Zemindarry of Benares on the late Rajah's Son. The Nabob immediately dispatched Allage Cawn as his Agent to Benares, in order to open a Negotiation with the young Rajah, which he in Person had at first seemed desirous of concluding, and accordingly fixed a Day for his Departure from Fayzabad; but being prevented from his Purpose by Indisposition, and wisely judging that the March of his Retinue through the Country might at that Time be prejudicial to the new Crop, he desired Captain Harper, immediately on Receipt of the President's Letter, to proceed as expeditiously as possible with his Battalion of Sepoys to Benares, and to be present at the Conferences held between his Agent and the late Rajah's Son. The Demands made by the Nabob's Agent were Twenty Lacks of Rupees, as a Nazerannah, and Five Lacks per Annum, as an Addition to the Sum stipulated by the Treaty of 1765. The Terms were however finally concluded on the 8th instant, when the Nazerannah was settled at 17 Lacks, and the required Increase was reduced to 2½ Lacks of Rupees. Permit us, Honourable Sirs, to congratulate you on so very happy a Conclusion of an Event we deem highly important to your Interest.

Par. 31. "The Vizier's Readiness in complying with this our earnest Recommendation and Request has afforded us the greatest Satisfaction, and is a Circumstance the more pleasing, as it must give Strength to the Opinions of the several Powers in Hindostan of the strict Friendship subsisting between the English and him, and his having considered Captain Harper as a necessary Witness to the Negotiation carrying on between his Agent Allage Cawn and the young Rajah Chait Sing, will serve as a Proof to the World, that he meant not to take any Measure therein that might give the least Cause for Suspicion on our Part. And here we must express our Belief, that so delicate a Matter being brought to a speedy Issue without those Altercations and Difficulties which generally take place in Treaties of this Nature, has been in great Measure owing to the prudent Conduct of Captain Harper.

Par. 32. "The President was requested to acquaint the Vizier with the proper Sense we entertain of the Attention he has paid to our Recommendation, and that we consider it as an additional Proof of his Friendship.]

Par. 33. "Captain Harper informs us, there were several Competitors for the Zemindary of Benares, amongst whom was a Grandson of the late Rajah Bulwant Sing, who was strongly supported

ported by the Bramins, because his Mother is the Wife of a Bramin, and to whom he gives the prior Right of Succession, for this Reason, that Chait Sing is not the Issue of Bulwant Sing's Wife, but of a Raseport Woman, whom the Rajah took into his Family.—This Matter does not seem to be properly understood by Captain Harper; for when it is considered that by the Tenets of the Gentoo Laws, the Right of Inheritance is confined to the Issue of the Male Line, to the utter Exclusion of that of the Female, it is evident, the Pretensions of the Grandson can only be urged by Bramins, who are ever partial to their own Sect."

Read also, from the same Book, Paragraph 18, of a General Letter from the Select Committee at Bengal, to the Honourable the Court of Directors, dated Fort William, 24th Dec. 1770.

" No. I.

" Received per Duke of Kingston, 12th July 1771.

Signed,

John Cartier,
Sam. Middleton,
Claude Russell,
Charles Floyer.

Par. 18. " With respect to the Son and Successor of Bulwand Sing, the Vizier has, as we before informed you, acted agreeably to our Desire. Chaet Sing is now fully invested with the Government, to the entire Satisfaction of every one, and is considered by the Vizier as holding that Country on the same Terms as his Father, the Difference in the Revenue excepted. The Whole are now settled at Benares Rupees 22,48,449, 2,50,000 more than were paid by his Father. The Vizier expressed a Desire of seeing the young Rajah at the Marriage of his eldest Son Mirza Amany; the Rajah, sensible how much this Mark of Respect was due from him at that Time, promised to attend; but at length excused himself, perhaps by the Advice of his Father's Counsellors, who had kept alive the Family Enmity."

To prove the next Allegation in the first Article, namely, that, in the Year 1773, the Defendant was empowered by the President and Council to renew, on Behalf of the Rajah Cheit Sing, the stipulations formerly made with the Vizier in Favour of his Father Rajah Bulwant Sing *;

The Witness was directed to produce the Bengal Secret Consultations of the 4th of October 1773.

* Vide 1st Article, page 3. par. 4.

The Managers for the Commons being asked, Whether there was any Instrument by which the Rajah Cheit Sing was invested with his Zemindarry,

Made answer, That if any Instrument of that Sort did pass, it was probably in the Hands of Shujah ul Dowlah, or of the Rajah Cheit Sing.

Being further asked, If there was any Passage stating such Instrument, They made answer, None that they had been able to find.

Then the Witness produced Book 3, intituled, " Bengal Secret Consultations, 18th January to 30th December 1773."—Read, Extract from a Consultation of the 4th October 1773, Page 521, of the same Book.

" Fort William, the 4th October 1773.

" At a Consultation; Present,

The Honourable Warren Hastings, Esquire, being returned, now resumes his Seat at the Board as President;

William Aldersey
Philip M. Dacres
Henry Goodwin
John Graham, and } Esquires;

George Vanfittart Esquire, who is also returned with the Governor, and takes his Seat accordingly.

" Read and approved the Proceedings of the 27th ultimo.

" The Instructions given to the Governor before his Departure for Benares, which the Board, at that Time, thought proper, to seal up and deposit in the Custody of Mr. Aldersey, are now opened, and recorded, as follows, with the Letters written in Consequence.

" To the Honourable Warren Hastings Esquire, President and Governor of Fort William, &c. &c.

" Honourable Sir,

Par. 5. " We empower you to renew, in Behalf of Raja Cheyt Sing, the Stipulation which was formerly made with the Vizier, in Favour of his Father Rajah Bulwand Sing, in consideration of his Services to the Company in the Year 1764."

K

Then

Then the Witnesses produced Book V. intituled, "Bengal Letters received 14th April 1773, to 21st March 1774."

Read, Paragraph 5, of a General Letter from the Secret Department at Bengal to the Court of Directors, dated, Fort William, 12th October 1773 (received by the Mercury, 26th March 1774.)

Signed,

Warren Hastings,
R. Barker,
Wm. Aldersey,
P. M. Dacres,
H. Goodwin,
J. Graham,
George Vanfittart.

Par. 5. "We have obtained from the Vizir a Renewal of the Sunnuds in Favour of Raja Cheit Sing and his Posterity, on the same Footing as it was granted to his Father Bulwant Sing, excepting only the Increase of 2 $\frac{1}{4}$ Lacks to his annual Tribute, which the Raja had agreed to at his Accession in 1770."

The Managers for the Commons proposed next to shew the Proceedings of the Defendant in the Year 1773, when he was at Benares, from his own Report of them at his Return to the Board. For which Purpose,

The Witnesses produced Book 3, intituled, "Bengal Secret Consultations."

Read, the following Extract from Page 522, of the said Book:

Sec. Dep.

"Fort William, the 4th October 1773.

"At a Consultation; Present,

The Honourable Warren Hastings Esquire, being returned, now resumes his Seat at the Board as President;

William Aldersey,
Philip M. Dacres,
Henry Goodwin,
John Graham, } Esquires:

"The Governor delivers in to the Board the following Report of his Negotiations with the Nabob Sujah ul Dowla at Benares, and of his other Proceedings during his Absence from the Presidency, with all the Papers referred to in the Report."

Read also, from same Book, Page 527.

"To William Aldersey Esquire, &c. Council at Fort William.

"Gentlemen,

"I have already advised you in my Letter of the 7th of September from Benares, of the Issue of my Negotiations, and the Sum of the Treaty concluded with the Vizir. I now lay before you No. 1. the Treaty itself, a Counterpart of which remains in his Possession. The other Papers which accompany this I shall refer to.

"No. 3. is a Persian Copy of a Cowlnama, or Engagement, which I obtained from the Vizir, confirming to the Raja Cheyt Sing, and his Posterity, the Stipulations formerly made in Behalf of his Father Bulwant Sing. No. 4. Is an English Translation of it. No. 5. A Copy of the Vizir's Pottah, or Rentroll, fixed with Raja Cheyt Sing for the Year 1178, and alluded to in the Cowlnama. No. 6. An English Translation of the Pottah. No. 7. The Translation of a Letter which I wrote to Rajah Cheyt Sing, as a further Assurance of the Conditions promised in the Cowlnama.

"The Cowlnama was executed in my Presence, and attested by me. The Vizier desired, that the Stipulations made in favour of the Rajah might be executed in this Mode, rather than by an Article in the Treaty; and it was equally satisfactory to the Rajah. I must remark, that he had already given the Rajah a Cowlnama of this Tenor, soon after the Death of Bulwant Sing, through the Solicitation of Captain Harper, by the Orders of the Select Committee. He could, therefore, have no reasonable Plea to refuse the Confirmation of it. Nevertheless, he seemed to think his former Act of so little Validity, that he pressed me, in very earnest Terms, for my Consent, that he should dispossess the Rajah of the Forts of Luteefgur and Bidgygur, and take from him Ten Lacks of Rupees over and above the stipulated Rents; and he seemed greatly dissatisfied at my Refusal. He argued, that the Treaty of Illahabad related to Bulwant Sing solely, and was never meant to extend to his Posterity. I confess, the Letter of the Treaty expresses no more; yet, I cannot conceive that either the Rajah or Lord Clive, when the Treaty was made, could have intended it in that Sense. It has certainly been differently understood both by the Company, and by this Administration; and the Vizier himself had before put it out of all Dispute, by the solemn Act passed in the Rajah's favour on his Succession to the Zemindarry. I am well convinced, that the Rajah's Inheritance, and perhaps his Life, are no longer safe than while he enjoys the Company's Protection, which is his due by the Ties of Justice, and the Obligations of public Faith, and which Policy enjoins us to afford him ever most effectually.

His

His Country is a strong Barrier to ours, without subjecting us to any Expence, and we may depend upon him as a sure Ally, whenever we may stand in need of his Services."

Read next, the several Instruments referred to in the above Extract, p. 543 of the same Book, and from the same Consultation ; as follow :

" Fort William, 4th October 1773.

" Translation of the new Cowlnama, or Agreement, given by the Nabob Shujah ul Dowlah to Rajah Cheyt Sing. No. 4.

" The Affairs of the Zemindarry and Tahud of the Sircar of Benaras, and Sircar Chunarah, and of the Mehalls of Juanpoor, Bejeypoor, Buddohy, Suknefegurrah, Mulboos Khans, Sircar Gazeypoor, Lekinderpoor, Khreed Shadeyabad, and Jopfoch Serinch, &c. which were under the Charge of Rajah Bulwund Sing deceased ; I do hereby grant and confirm unto you, upon their former Footing. It is necessary that, after deducting the Nanker, and Half of the Jaghier of Buddohy, you monthly and annually pay into the Treasury of the Sircar the established and stated Payments. By the Favour of God, whatever is promotive of your Honor shall be performed ; and, exclusive of the Jumma specified in the Cabooleat of the present Fusselly Year 1178, no Increase shall ever hereafter be demanded ; and if you remain firm, and steady in your Obedience, and in the Payment of your Rents, no Harm shall, by any Means, happen to your Ryots or Country. By the Word of God, and the holy Coran, and of the blessed Imauns, this Agreement is made between me and my Heirs, and you and your Heirs, and it shall never be deviated from. Dated this 18th Day of the Moon Jemmady ul sami, in the Year 1177 Hegiree, answering to the 6th September 1773, English Style."

" A true Translation.

" (Signed) Wm. Redfearn, Persian Translator."

" Translation of the Potta given by the Nabob Shujah ul Dowlah to Rajah Cheyt Sing. No. 6.

" The Sircar of Benares and Chunarah, and the Mehals of the Sircar of Juanpoor, &c. including Land Rents and Syer Duties, and Havelly Mahomed-abad Benares, Mulboos Khans Pergunnah Booder, &c. Talook of Sikinra Mow, in the Dependencies of the Pergunnah Khaundat, Pergunnah Buddoky Lukunefegur Bejeypoor, Sircar, Gazeypoor Pergunnah Sakinderpoor Khreed Shadey-abad, and Toppeh Seyriach, &c. Land Rents and Syer Duties included, after deducting the Dufloor Dewanny, Nankar Half of the Jaghier of Buddohy, and the other exempted Jaghiers ; and whatever has formerly been allowed as Deductions, I do now fully grant and make over to you, in the Terms of your Cabooleat, from the First of Khareef 1178, in Consideration of the Sum of Benares Cumsunna Rupees 22,48,449 Asfil and Ezafa, as specified underneath, clear of all Expences of Schbundy. It is necessary that you pay the above Sum to the Sircar, according to the stated and established Kifts Year by Year ; and by the Favour of God, there shall never be any Deviation from this Agreement.

" Particulars, viz.

" Paid by Rajah Bulwund Sing as follows ;

" Benares,	-	-	12,00,607
" Buddochy,	-	-	1,30,000
" Sukneefgur,	-	-	16,000
" Bejeypoor,	-	-	2,00,000
" Gazeypoor,	-	-	5,00,000
" Shadey-abad,	-	-	40,000
			<hr/>
			20,86607

" Deduct Nanker Half of the Jaghier of Buddochy and Alturgha, &c.	-	-	-	88158
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" Neat Revenue paid by Rajah Bulwund Sing,	-	-	19,98,449
" Increase settled with Rajah Cheyt Sing,	-	-	2,50,000

" Nett Revenue to be paid by Rajah Cheyt Sing, Rupees,	22,48,449
--	-----------

" Dated the 27th of Rejub, in the Year of the Hegiree 1184.

" A true Translation.

" Signed, Wm. Redfearn, Persian Translator."

" From the Governor to Rajah Cheyte Sing. No. 7.

" At this Time the Vizier of the Empire having given you an Agreement, under his Hand and Seal, which I have countersigned, and also affixed my Seal to, it is necessary, that conformably thereto, and according to the Treaty concluded at Allahabad, by Lord Clive and the Vizier, respecting Rajah Bulwund Sing your deceased Father, you, with the greatest Cheerfulness, pay to the Vizier the Rents thereby established ; in which case the Company will always

attend

attend to your Welfare, and afford you their Care and Protection; and in the Agreements aforementioned, there shall never be any Breach of Deviation.

" A true Translation.

" Signed, Wm. Redfearn, Persian Translator."

The Managers for the Commons proposed next to shew the Light in which the Defendant understood these Agreements, and the Sense he put upon them. For which Purpose,

The Witness produced Book 6, intituled, " Bengal Letters received 16th May 1775, 20th January 1776."

Read Paragraphs 7 and 8 of a General Letter, Secret Department at Bengal, to the Court of Directors, dated, Fort William, 16th May 1775. (Received *per* Northumberland, 4th April 1776).

7. " We must not omit to mention, that the Nabob some Time ago paid in to Colonel Gailliez a second Tunka on Rajah Cheyt Sing for Six Lacks of Rupees on the Company's Account, against which the Raj did not fail to remonstrate in the strong Terms, alledging that he had made great Advances already in the Payment of his Tribute; that if the Nabob continued to do on him in this Manner, it would bring him under the greatest present Distress, and establish a Precedent that would be injurious to him in future, and therefore praying that we would not accept the Tunka, but return it to the Nabob.

8. " As we saw the Force of these Objections on the Part of the Raja, and considered him as under the particular Protection of the Company, we thought fit to order the Tunka to be returned, and consequently directed Mr. Bristow to remonstrate to the Nabob against such Proceedings. The Nabob at first received this Remonstrance with Warmth, and alledged that the Raja was his Zemindar, and that he had a Right to draw his Revenue from him as he pleased; but at last seemed to acquiesce in the Justice of Mr. Bristow's Representation, and said he would avoid giving any Uneasiness on that Account to the Raja in future."

Then the Witness produced Book 7, intituled, " Bengal Secret Council, 24th March to 31st May 1775. (Received *per* Northumberland, 4th June 1776.)"

Read, several Extracts from Bengal Secret Consultations, Fort William, 30th March 1775, beginning at Page 625 of the said Book, containing the Remonstrance of Rajah Cheyt Sing, alluded to in the Extracts last read, and the Proceedings of the Governor General and Council upon it.

" Fort William, 30th March 1775.

Secret Dep.
Thursday.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

" The Governor lays before the Board the following Translations of Letters from Rajah Cheit Sing, One of which is addressed to himself, and the other to the Rajah's Vakeel.

" From Rajah Cheit Sing.

Rajah Cheit Sing dissatisfied with the Tuncaws granted by the Nabob on him.

" I have been honoured by your gracious Letter, informing me that my so ready Compliance with your Desire in the Payment of the Tunka of Five Lacks of Rupees gave you great Pleasure, and also that you would write to the Nabob Afoph ul Dowlah to expel Munneer and Offant Sing, and to put a Stop to the building of the House at Benares. Munneer Sing is still in the Presence, and Offant Sing has left his Highness's Army, and taken up his Residence at Illahabad, and has an Intention of farming Two or Three Mahals of Noroze Ally Cawn, the Naib Soubah.

" With respect to the Letters which you were so kind as to promise to write to the Nabob Afoph ul Dowlah on this Subject, if they are not yet sent, I request that there may be no Delay in forwarding them, that these Two rebellious and ungrateful Servants may be expelled from the Country. My sole Dependence is in your Favour.

" The Decease of the late Nabob has for the present put a Stop to the Building which was carrying on at Benares.

" I have written fully to Ally Nawaz Cawn on several Subjects, who will have the Honour of communicating every Particular to you."

" Extract of a Letter from Rajah Cheit Sing to his Vakeel.

" By a Letter from Mohukkim Sing I learn, that Mahomed Ellich Cawn has received a Tunka on me, to commence on the 7th Kikaft, and that it has been determined to give another Tunka on

on me for Six Lacks of Rupees in advance to the English Chiefs. You are well acquainted with the Nabob's Disposition, and that he is continually devising Means to bring me under the Governor's Displeasure. He has concluded in his own Mind that I will not consent to the Payment of Advances, lest it be considered as a Precedent; and that, by refusing to do so, I shall fall under the Governor's Displeasure. I have already paid Five Lacks of Rupees to the Government, and you are to consider that, by the Payment of that, it makes good all that was due from me to the 6th Kist, Mahomed Elliah Cawn's Tunka commences the 7th Kist, and will be paid at the latter End of Suffer.

" The Tunka of Six Lacks in advance, which it has been determined to give the English Chiefs on me, is without any Precedent, except the One of Five Lacks of Rupees, which I lately discharged. I was then fearful of its becoming a Precedent, and was undetermined whether to comply with it or not; but, in consequence of Letters from the Governor and you, pressing me to the immediate Payment of it, I raised the Sum by Loans. I am now again plagued with Demands beyond my Power to comply with. As the Governor has been graciously pleased to honour me with the Appellation of his Son, I have the greatest Confidence that he will exert himself to prevent any Tunkas in advance being given on me. Represent this Affair to him in private, and request from me that he will not give his Consent to this Tunka, but that he will be so kind as to write to the Nabob Afoph ul Dowla, that he may desist from ever troubling me with such kind of Tunkas, which it is not in my Power to comply with, but to take my Kists from me monthly."

Agreed that the following Directions be sent to Mr. Bristow, in consequence of the above Representation from Raja Chite Sing.

" To Mr. John Bristow, Resident at the Court of the Nabob of Oude.

" Sir,

" We have received a Letter from you of the 14th March since our last to you.

" Rajah Cheit Sing having complained to this Government of the Distress which he suffers from the Nabob Afoph ul Dowla granting Tuncaws upon him, particularly in the late Instances of One granted to Ellich Cawn, and another to the Company, for Six Lacks of Rupees, both of which encroach greatly upon the Kists which are not yet due, every Thing being paid up already by him to the 6th Kist, we direct that you remonstrate to the Nabob against such Proceedings, shewing that they are unjust, and contrary to his Engagements with the Raja, of which we are the Guarantees, and that you demand Payment from him for the above-mentioned Tuncaw to the Company which he delivered to Colonel Gailliez, and which the Raja thus declines to accept; and also that you require the Payment of the other Sums due by him without Delay.

" We desire you may transmit with all possible Dispatch the Account of the monthly Subsidy for the Troops received from the Nabob, for which we wrote you some Time ago.

" We are, &c.

" Fort William, 30th March 1775.

Signed, at the End of the Consultation,
Warren Hastings.
J. Clavering.
Geo. Monson.
R. Barwell.
P. Francis."

To prove what Mr. Bristow, the Resident at Oude, did in consequence of the above Letter,

Read, from the same Book, p. 2043, the following Extract from Bengal Secret Consultation.

" Fort William, the 27th April 1775.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis,

Secret Dep.
Thursday.

" Received the following Letter and Inclosure from the Resident at the Court of the Nabob Afoph ul Dowlah.

" Rajepe Gaut, opposite to Konnogee,
the 14th April 1775.

" To the Honourable Warren Hastings Esquire, Governor General, and the Members of the Supreme Council at Fort William.

Resident at
Oude.

" Honourable Sir, and Sirs,

" My last was on the 11th instant, since when I am favoured with your Letter of the 30th ultimo. I, in consequence, waited upon his Excellency, and intimated your Commands to him. He, at first, expressed great Discontent at the Honourable Board's protecting Rajah Cheyte Sing; called him

him his Zemindar, of whom he had a Right to require his Rents in advance ; and told me that he did not think I was authorised to make any Representation to him on this Head, or that of the Release of the Rohilla Families ; for the Governor General would have wrote to him, as well as to me, on these Matters. I hereupon quoted the Words of my Credentials, and requested his Excellency to consider my Trust was general ; that it was intended he should pay Attention to any Representations I should make in the Name of the Honourable Board ; and this Mode of Negotiation had been adopted to save Trouble on both Sides.

Deest in Orig. " I likewise quoted the Treaty subsisting between the late Vizier and Rajah Chyete Sing, and their Heirs respectively, of which the Company were the Guara so long as the Raja paid his Gifts, when they and his Excellency, on his Part, could not dema Encrease of Rent or Sums in advance.

" After a long Conversation his confessed he had, on my first mention not recollected the Circumstances I had explained to him ; that his Reason for granting the last Tuncaw was, the Rajah having once before paid me in favour of the Company for Five Lacks of Rupees, and thought he would do it again ; besides this, he had, at the Time, no other Means of discharging ever so small a Part of the Money due from him to the Company. I, upon this, told his Excellency (what he also pretended not to remember) that the Rajah had been induced to pay the First Tuncaw of Five Lacks with great Difficulty, and did it solely to avoid Altercation ; that he would not now, by a Repetition, establish a Precedent so disadvantageous to himself, and contrary to the Letter of the Treaty. I then explained the Orders of the Honourable Board, which I had just received, directing me to solicit for the immediate Payment of the Amount of the said Tuncaw of Six Lacks, and the Balance in full, due to the Company : To which his Excellency replied, that he really had not Money at present ; but if I would wait only Eight or Ten Days, agreeable to his Promise, he would liquidate the Balance ; and should esteem it an Act of Friendship in the Honourable Board, still to accept the Tuncaw ; for although it was not immediately receivable, yet the Money might be esteemed secure, and would be paid out of the Rajah's ensuing Gifts. His Excellency also assured me, that he would not draw in future upon the Rajah in advance.

" After the Instructions I had received from the Honourable Board relative to the new Treaty, I thought it adviseable, in case the ceding of Benaras should take Place, that it ought to be done without Incumbrances ; for this Reason I shall write to Mr. Motte to return the Tuncaw to me, receive such Part of it as is become due upon the Rajah's Gifts, which I will get passed in Account with the Nabob, and endeavour to have the Balance paid me here.

" At my Interview this Day there were many People present. I therefore thought it necessary, after the Conversation which had passed, both to support the Honour of the Government, and the Credit of my own Station, to tell his Excellency, that the Honourable Board would never suffer the Rights of their Dependants to be infringed ; Rajah Chyete Sing was to be considered in this Light, and he must expect to see him protected ; for that he was not to be put upon a Footing with his other Zemindars."

Signed, at the End of the Letter,

" John Bristow,

Resident at the Court of the Nabob of Oude."

Then the Witness produced Book VIII. intituled, " Bengal Secret Consultations, 2d January and 14th February 1775."

And the Managers for the Commons desired an Extract from Bengal Secret Consultation of the 13th February 1775, containing a Proposition made by Mr. Hastings relative to Chyete Sing, and his own Observations upon that Proposition, might be read.

The Counsel for the Defendant submitted, that the Sense would be mutilated if the Governor General's Proposition alone were read, without reading the Whole of the Minutes preceding it.

The Managers for the Commons said they thought it immaterial, but did not object to the rest of the Minutes being read.

Accordingly read, the following Extracts of Secret Consultation, 13th February 1775, beginning at Page 793 of the said Book.

" Fort William, 13th February 1775.

" At a Council ; Present,

The Honourable Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell } Esquires.
Philip Francis }

Secret Dep.
Monday.

" The Board proceed to consider the Subject of the further Instructions which it may be necessary to give to the Resident at the Court of Asoph ul Dowlah, Nabob of Oude.

" The

" The Governor General,—conceives it to be necessary, before the Board proceed any further on the Business now before them, that One Principle, upon which every other Resolution must depend, should be determined; and therefore desires that the following Question be put.

" Whether this Board considers the Treaties which were made with the late Nabob Sujah Dowlah, as remaining in Force, or as having expired at his Death?"

" Mr. Francis.—I think that the Obligations contained in the several Treaties with the Vizier, to support him in the Possession of his Territories, were confined to his Person, and consequently expired with him.

" Mr. Barwell.—This Question must be decisively determined by the express Letter of the reciprocal Engagements of the contracting Parties. I therefore desire the Treaties may be referred to, the Board will then see how far the Obligations extend.

" Read the Treaties of Illahabad and Benares.

" Mr. Barwell.—I think the Treaties bind to his Heirs.

" Colonel Monson.—I think the Treaties with the Vizir expire in his Person.

" General Clavering.—I desire to know, whether the Governor in the Word "Treaties" comprehends the Engagement with the late Vizir respecting the Rohilla War?

" The Governor General.—I conceive, that my Opinion in this Point can be of no Use in deciding the Question before us, because it has been already decided by the Majority of the Board, that the Engagements with respect to the Rohilla War, formed by the late Administration with the late Vizir, had not the Obligation of Treaty, nor, if I rightly recollect the Declaration made on this Subject, were, in any respect, obligatory upon this Government.

" General Clavering.—I could have wished to have heard the Governor General's Opinion upon the Question I took the Liberty to submit to him, on the Obligations of this Government to defend the Rohilla Country, as clearly given as that which Mr. Barwell gave in his Minute of the 31st October, because I might have formed some Judgment of the Governor General's Ideas on the Force and Extent of the Treaties contracted with the late Vizir. I think the Treaty of Illahabad was broken by the subsequent Treaty of Benares, by which Corah and Illahabad were taken from the King and given to the Vizir; so that, whatever Conception I might entertain of the Validity of the original Treaty, I think it now no longer obligatory on this Government till the Court of Directors have given their Approbation of the Treaty of Benares, which entirely altered the Nature of the other.

" The Governor General.—I am of Opinion, that the Treaties which were made with the late Nabob Sujah Dowlah still continue in Force, and have admitted of no other Change but in that of the Person of his Heir and Successor standing in his Place. The first Clause of the first Article of the Treaty of Illahabad, in my Construction of it, extends the Obligation of that Treaty to the whole Line of the Nabob Sujah Dowlah's Heirs. The Treaty of Benares being but explanatory of the former, in the Article which respects the Part of the extra Charges of the Forces employed in his Defence, must be understood in the same Sense with respect to that Article; and the first Article expressly granting the Possession of Corah and Illahabad to the Vizir for ever, a Term excluding all Limitation;

" Resolved, That the Treaties made with the late Vizier Sujah Dowlah do not remain in Force, but expired at his Death. The Treaties of the late Vizier expired with him.

" The Governor General proposes the following Question.

" Whether a new defensive Treaty shall be executed with the Nabob Asoph ul Dowlah, in case he himself should solicit it?

" Mr. Francis.—Supposing the Nabob to require our Assistance in support of his Succession, I think that a new Defensive Treaty should be formed with him on the most advantageous Terms which can be obtained for the Company.

" Mr. Barwell.—Certainly.

" Col. Monson.—I think a new Defensive Treaty should be executed with the Nabob Asoph ul Dowlah on the most advantageous Terms for the Company.

" The General agrees with Colonel Monson.

" The Governor General.—I am of Opinion there should.

" Agreed, that a new Defensive Treaty be executed with the Nabob Asoph ul Dowlah, in case he solicits it. A new Treaty to be formed with Asoph ul Dowlah.

" The Governor General proposes that each Member of the Board deliver in his Sentiments of the Conditions to be required or acceded to for the new Treaty: Not having himself sufficiently considered this Subject in the Latitude which has been given to it by the foregoing Resolution, he wishes to prepare what he may have to offer himself, unless any immediate Proposition shall be made by any Member of the Board, on which he should be willing to give his Opinion. Each Member to deliver his Sentiment on this.

" Resolved to adjourn to the Evening, that every Member may prepare his Ideas on this Subject. Adjourned.

" Met in the Evening at Six o'Clock, according to Adjournment.

" Resumed the Subject of the new Treaty to be formed with the Nabob of Oude. Met again.

" Agreeable to the Governor General's Proposal in the Morning, the Members of the Board deliver in their separate Opinions in Writing, as follows:

" Mr.

" Fort William, 13th February 1775.

" Mr. Francis.—Supposing it to be the Interest and Desire of the present Nabob of Oude to enter into a new Defensive Treaty with the Company, by which we may oblige ourselves to guarantee to him the Possession of any Part of his present Territories, I think that the following Articles should be proposed and insisted on for the Advantage of the Company.

" 1st. The Pay of our Troops in his Service to be made equal to their real Expence upon a new monthly Estimate, and to commence from the Accession of the present Nabob.

" 2d. The Zemindarry of Benares to be made dependant as a Fief on the united Kingdoms of Bengal and Bahar, and the Tribute lately paid by the Rajah to the Vizier to be paid to this Government.

" 3d. The present Rajah of Benares to be confirmed in the Zemindarry, which may be perpetuated in his Family, under a fixed annual Tribute, and a fixed Fine at each future Investiture. A free Trade to be opened between these Provinces and his Country. The Rajah's Authority in his own Government to be left free and uncontrouled.

" 4th. If the Possession of the Rohilla Country, or any Part of it, be guaranteed by a future Treaty to the Nabob, that some favourable Terms be made for the surviving Chiefs of the Rohilla's, or their Representatives.

" 5th. The Debts from Sujah Dowlah (supposing them not to be liquidated at the Conclusion of the new Treaty) to be considered and acknowledged by the present Nabob as due from himself, or the Representative of the State of Oude for the Time being.

" 6th. Besides the Guarantee to be stipulated in Return for the above Conditions, this Government shall undertake to obtain from the King a regular Confirmation of the Nabob in his Government, according to the Laws and Constitution of the Empire.

" 7th. I conceive that the Attachment of Nudjuff Cawn might be secured with the greatest Advantage to this Government, if, through our Recommendation, the King would appoint him Vizier of the Empire with a Jaghire, which might easily be found for him either in the Donabe or the Rohilla Country. I understand that he is one of the ablest Men and best Soldiers in the Empire; if properly placed in point of local Situation, and his Attachment secured, he might serve as a Barrier to the Subadary of Oude either against the Marattas, or any other Invaders, from the Western or Southern Parts of India.

(Signed) P. Francis."

" Mr. Barwell.—The first Object to be attended to in a new Treaty is the future Strength and Security of our own Possessions. The Company have invariably declared against any further Accession of Territory to themselves, any Conditions of that Tendency are of Course out of the Question.

" 1st. I think the Conditions of the old Treaty (the Article respecting Corah and Illiabab excepted) is a good Foundation for any we may now chuse to form.

" 2d. As it may be possible to encrease the Subsidy for a Brigade employed in Oud, &c. that Increase ought if possible to be effected; but its Extent being arbitrary, and depending entirely on the Pleasure of the Board, we should consider in which Way to make our Aid the least burthenome and most useful to our Ally.

" Our Military Establishment is become an intolerable Burthen, and the Directors have expressly recommended that such Reduction take Place in it as may be done with Safety to Bengal. To effect a Reduction appears here a secondary Object, the Safety of Bengal the First; to answer both, we should engage our Ally to pay a respectable Body of Troops, such as we may at all Times be able absolutely to command, and use as our own on any emergent Occasion; if this can be effected, a proportionable Retrenchment of our own Forces may immediately take Place, and the Burthen be removed from our Shoulders to those of our Ally; this is preferable, in my Opinion, to the hiring out any Part of our own Forces occasionally to defend Oud, &c. and will equally strengthen the Nabob against his foreign Enemies, while it renders him proportionably weak and dependant on us.

" 3d. The Independency of Gauzipore on Oud is a great political Object, and ought to be insisted on; and whatever may be resolved respecting the Revenue paid by the Rajah of that Country, the English Government ought not to stand in the same Relation to it as the late Vizier, because the Country of Benares and Gauzipore is a natural Barrier to these Provinces, and the Rajah should have the strongest Ties of Interest to support our Government in case of any future Rupture with the Subah of Oud. To make this his Interest, he must not be tributary to the English Government, for from the Instant he becomes its Tributary, from that Moment we may expect him to side against us, and by taking Advantage of the Troubles and Commotions that may arise, attempt to disburthen himself of his pecuniary Obligations.

" Mr. Monson.—On the Death of a Suba, the Subdaree escheats to the Crown; before Stipulations are made with Asif ul Dowla, his Right to the Nabobship of Oude should be legally ascertained.

" If the King nominates any other Person to the Nabobship of Oude, our Opposition to that Appointment is a Violation of the Laws of that Government under which we ostensibly hold the Dewannee.

" I think, therefore, in the present Instance, we should act as Mediator between the King and Asif ul Dowla. This Measure will be serviceable to the young Nabob, respectful to the King, and obviate many Circumstances that may hereafter appear inconsistent in our Conduct.

“ Supporting Mirza Amanee in the Succession without the King's Firmaund, will be an Act of Rebellion.

“ The King's Firmaund therefore appears to be indispensably necessary as a Sanction for our Conduct and Honour.

“ For this Service done the Nabob, we should require that Cheit Sing's Zemindaree be annexed to the Soubahship of Bengal or Bahar, or to both.

“ To engage for the young Nabob strictly to adhere to all Treaties made between the King and Soujah Dowlah, and to endeavour to prevail on the Nabob to give the Whole of the Rohilla Country to the King.

“ The King Shaw Allum, for these Advantages, and for the Respect shewn him, should make over the Sovereignty of Bengal and Bahar to the King of Great Britain, and relinquish all Claims to his Tribute.

“ If these Terms are too severe on the Nabob, they may be mitigated, by relinquishing the Sums that remain due from him for the Conquest of the Rohilla Country.

“ If the Nabob Asif ul Dowlah requires the Assistance of a Brigade, he should pay all Charges attending it.

“ I mean by Charges, the Pay, Batta, and contingent Expences.

“ General Clavering.—In considering the important Subject which is now before us, I have two Objects in View; first, the obtaining the greatest possible Advantage to the Company, in Consideration of the defensive Aid proposed to be given to the new Nabob; the Second is, the avoiding the greatest probable Inconveniency to the State by virtue of the Engagements we may enter into with him.

“ As the Basis of all my Reasoning, the following Premises must be granted to me: First, That the Nabob Miza Ammanee possesses such Disqualifications of Character, that he cannot maintain himself in his Musnud without our Assistance.

“ 2d. That there is a political Necessity in this Government not to allow any other Prince to occupy the Subahship of Oude, and the Countries of Corah and Illahabad, without our Concurrence.

“ It is well known that there will be as many Competitors for the Countries left by the late Vizier as there are Powers in that Part of Indostan. The King, the Mahrattas, the Jauts, the Rohillas, Nudjuff Cawn, and even some of the Nabob's own Family, and Commanders of his Armies, will probably all, or most of them, strive to obtain some Share of his Dominions.

“ The Question then is, Will it be for the Interest of the Company to permit any of these Princes to establish themselves in the Provinces bordering on Bengal without our Consent? I am of Opinion there would be great Danger in permitting it. In that Case, what Measure must be pursued to render us the Arbiters of those Countries consistently with those Views which I first stated, the obtaining the greatest possible Advantage to the Company, and avoiding the greatest probable Inconveniency in the Undertaking?

“ The greatest Advantage, in my Conception, that can be obtained for the Company is, First, the total Extinction of the King's Claim to the Tribute on these Provinces.

“ That the Zemindary of Benares and Gauzipore shall be held by Cheit Sing of the Company instead of the Suba of Oude.

“ To obtain the first, it should be proposed to the King that he should renounce his Tribute on these Provinces; that he should acknowledge the Nabob of Oude to be Soubah of that Country, and should appoint him Vizier.

“ In return for this Favour, we should restore to him the Country of Corah and Illahabad.

“ The Nabob, in return to the Favour shewn him, and procured by our Mediation, should relinquish to the Company the Sovereignty of Benares and Gauzipore, to be held as at present by Cheit Sing, on his paying his Tribute to the Company.

“ In order to attach this Rajah to the Company, his Tribute ought to be diminished at least Three Lacks of Rupees. Whatever Assistance shall be afterwards required by either the King or the Nabob for the Defence of their respective Countries of Corah, Illahabad, and the Province of Oude, not less than Three Lacks per Month should be paid to the Company, as less than that will not defray the Expence of a Brigade serving out of the Provinces.

The Governor General.—On the Grounds already resolved on, I propose the following Articles for the new Treaty, premising, that I consider the Debts due from the late Vizir as not appertaining to the Subject of the intended Treaty. These we claim as a Right exempt from any future Negotiation.

“ 1st. That the Treaties of Illahabad and Benares be renewed on the Footing on which they stood at the Vizier's Death.

“ By this Proposition, the monthly Subsidy for our own Army will remain as settled with the late Vizir at 2,10,000 R^l. I am against augmenting it. The Expence ought not to exceed that Sum. If more be agreed on, it will either discourage the Nabob from employing the Brigade, or he will employ it, and most probably suffer it to run in Arrears.

✍ “ 2d. That the perpetual and independent Possession of the Zemindarry of Benaris, and its Dependencies, be confirmed and guaranteed to Rajah Cheit

“ The Rajah of Benaris, from the Situation of his Country, which is a Frontier both to the Provinces of Oude and Bahar, may be made a serviceable Ally to the Company whenever their Affairs shall require it. He has
M always

Cheit Sing and his Heirs for ever, subject only to the annual Payment of the Revenue hitherto paid to the late Vizir, amounting to B^t. R^s. 23,71,656 : 12, to be disposed of, as expressed in the following Article; that no other Demand be made upon him, either by the Nabob of Oude, or this Government, nor any Kind of Authority or Jurisdiction exercised by either within the Dominions assigned him.

" 3. That an equal Partition be made of the Revenue of the Zemindarry of Benaris between the Company and the Nabob of Oude; that is to say, that the Rajah shall pay monthly to each the Sum of 98,823 : 2 : 9, amounting on the whole to R^s. 23,716,56 : 12 per Annum; and that this Participation be expressly declared to be intended as a Pledge and Acknowledgment of the equal Relation in which the Rajah and his Successors are hereafter to stand to both Governments.

" Agreed, that these several Opinions lie for further Consideration."

The above Extracts being read, the Managers for the Commons submitted to the House, whether it would not be reasonable, that, for the future, when a Paper was produced, such Matter ONLY as they proposed to read should be read, unless the Counsel for the Defendant would state that they wished to read other Parts of the same Paper, as necessary to illustrate and to make intelligible the Matter particularly referred to by the Managers for the Commons.

The House informed the Managers for the Commons and the Counsel, that the Rule stood thus: That if a Paper is produced, it must be read intire, if required by either Party; and that the House for the present must put a Confidence in the Party who shall insist upon its being so read intire, that they will not do it frivolously.

To prove that the 2d Proposition abovementioned was agreed to by the Board,

The Witness produced Book 9, intituled, " Bengal Secret Consultations, 24th February and 20th March 1775."

Read, the following Extracts beginning at Page 1126 of the same Book*.

" Fort William, the 3d March, 1775.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President.

Lieutenant General John Clavering.

The Honourable George Monton.

Richard Barwell, } Esquires.

Philip Francis,

" Read and approved the Consultation held Yesterday.

" Resumed the Consideration of the separate Minutes delivered in by each Member of the Board in Consultation of the 13th ultimo, on the Subject of a new Treaty to be entered into with the Nabob of Oude, and of the Instructions to be given to the Resident at his Court.

" It being resolved that a new Defensive Treaty shall be executed with the Nabob Asoph ul Dowlah, in case he himself shall solicit it; it remains to be determined, what Part of the Nabob's Dominions shall be included in this Defensive Treaty.

" The Governor General remarks, that the Nabob's present Dominions consist of the Subahdary of Oude, the Districts of Corah and Illiabad, the Country lately conquered from the Rohillas, and the late Vizier's Conquests in the Duabe; to these may be added the Zemindarry of Rajah Cheit Sing, which is tributary to the Nabob; and the Government † proposes, That the Question be put which of these Territories shall be included in the proposed Defensive Treaty.

" Mr. Francis.—My Opinion is, That we may with Propriety guarantee to the present Nabob of Oude, for his Life, all the Countries guaranteed to the late Vizier by the Treaty of Illahabad, except the Dominions of Cheyt Sing. I think that this Guarantee may also be conditionally and pro tempore extended to the Countries of Corah and Illahabad, until we shall be informed whether

* See the Matter particularly referred to by the Managers for the Commons, Page 48.

† Sic in Orig.

the Treaty of Benares be ratified or disapproved of by the Court of Directors. I do not think it safe or precedent * to enter into any Engagements that may eventually carry the Company's Forces * Sic in Orig. beyond the Limits of the Countries I have mentioned.

" Mr. Barwell.—In the different Resolutions that the Board have come to as a Ground-work for a new Defensive Treaty, it is acknowledged that this Government is bound to support the Rights and Pretensions of the Son of Sujah Dowlah to the Succession of his Father's Dominions, and Orders have, conformably to this Resolution, been sent to Colonel Galliez. Upon what Terms the Nabob of Oude was to have his Pretensions to succeed his Father supported by this Government, is not expressed; I therefore conceived, that the Aid of our Troops was hereafter to be settled by a Subsidy adequate to the Expence, and that the Intention of the Board was expressly declared of opposing any Competitor in Prejudice to the Rights this Government sanctify. And, as I do not suppose there is any Design in the English Government to withdraw the Countenance already shewn the Son of Sujah Dowlah, and by such Means render Commotions probable which may reduce him to that Distress to solicit our Interposition on any Terms, I imagine the Son of Sujah Dowlah is to be maintained in the Soubadarry of his Father, on the equitable Footing of his disburfing the just Charge of the Armament he requires for his Support; and if 2,10,000 Rs. are inadequate to the Expence of the Brigade, it should be rated as high as the real Charge. I premise this before I proceed to answer the Question, because every additional Advantage to be obtained to this Government, both upon Principles of Equity and Policy, must be in Proportion to the Advantages it gives to the other contracting Parties. If, therefore, we propose the Acquisition of Wealth to this Government, that Acquisition can only be in Proportion to the Policy which shall be adopted; and, as I conceive the English Government may be benefited both in its Finances, and its Powers of external Defence, by guaranteeing the Countries already in Possession of the Soubah of Oude, such Guarantee, in my Opinion, should take Place; if it does not, I must propose, equally for the mutual Defence of our Ally and this Government, that every after Persuasion shall be used to influence the Soubah to maintain a Body of 12,000 Sepoys, agreeably to the English Establishment, to be commanded by our Officers, and the Pay to be advanced to the Officers, who shall issue it to the Sepoys. Thus, either by guaranteeing all the Countries now depending on the Soubah of Oude, or the Alternative of furnishing him with the Means of maintaining his Conquests, some Advantage will result to the State; otherwise, I do not see any Means there is to influence a Prince to make such Concessions, as appear from the different Minutes of some of the Members to be expected from him.

" Colonel Monson.—I do not conceive it to have been the Intention of this Government, to support Mirza Amany in the Succession of the late Vizier's intire Dominions. The Intention was to acknowledge the Succession, and to support him under certain Stipulations in the Soubahdarry of Oude. The Defensive Treaty now proposed to be entered into with that Prince for the Guarantee of his Dominions, should not extend beyond those of Oude, Corah, and Illahabad, with the Proviso that the Treaty of Benaris is ratified by the Company. This Guarantee should only be granted on such Terms as may be advantageous for the Company. If the Guarantee is to extend beyond the ancient Dominions of the Soubahdarry of Oude, an Equivalent is to be given to the Company for that extraordinary Service granted to the Nabob. If, in this Defensive Treaty, the Nabob should make a Requisition of any Part of the Company's Military Force, he is to defray the whole Expence attending them.

" General Clavering.—The Opinion of the Majority of the Board, when the Question was agitated, Whether there was an Obligation by Treaty on this Government to interfere in regulating the Succession to the late Vizier, was absolutely, That there was no such Obligation; however, on Occasion of the Successions, it was agreed to acknowledge Mirza Amany to be the Heir and Successor to his Father, Sujah Dowlah. The Question is therefore at present open for any Resolution the Board pleases to take, in regard to the defensive Alliance it was agreed that we would enter into with Mirza Amany, provided he proposed it. On this Footing I am ready to consent to guarantee the Possession of the Province of Oude to the young Nabob; provided he, on his Part, consent to cede to the Company the Sovereignty of Cheyte Sing's Country; and whenever he requires the Assistance of the Company's Forces, to defend the Province of Oude only, and never to the Rohilla Country. I will give my Consent to such a subsidiary Treaty, on his paying Three Lacks of Rupees Monthly for a complete Brigade. With regard to the Province of Corah, I think, in Justice, it ought to be restored to the King, and a Negotiation set on Foot, at the same Time, to obtain from him a Renunciation of his Tribute upon Bengal.

" The Governor General.—My Answer to the Question is short, as it can be of no Use. We ought, in my Judgment, to guarantee to the Nabob of Oude, the Soubadaree of Oude, the Districts of Corah and Illahabad, and the Country lately conquered from the Rohillas, but no more. I do not wish to see the Company's Forces carried within the Line of the Rohilla Country, for its Defence. I believe that an Engagement to defend that Country for him would render it unnecessary. I fear he may lose it; we shall in that Case have a greater Burthen imposed on us in the Defence of the Nabob of Oude, and he be less furnished with Means of discharging his Engagements with us.

" Resolved, That the Board will agree to guarantee to the Nabob Mirza Amany the Province of Oude, and conditionally those of Corah and Illahabad, until the Pleasure of the Court of Directors on the Treaty of Benaris be known."

[" The

✍ [“ The Governor General proposes the following Question :

“ Whether it shall be made a Condition of the new Treaty, that Rajah Cheyt Sing shall exercise a free and independent Authority in his own Dominions, subject only to the Payment of his Tribute ?

“ Mr. Francis.—Yes.

“ Mr. Barwell.—Yes.

“ Colonel Monson.—No, I think not, as I see no Advantage in it for the Company's Interest.

“ General Clavering.—Provided he pays the Tribute to the Company, I think he should be rendered independent.

“ The Governor General.—Yes.

“ Resolved in the Affirmative.]

“ The Governor General further proposes ;

“ Whether it shall be made an Article in the Treaty, that, in Consideration of the Engagement to be entered into by this Government to guarantee the Possessions of the Nabob of Oude, as before resolved, he shall cede and make over to the Company the Whole or any Part of the Tribute due from the Zemindar of Gauzapoor.

“ Mr. Francis.—I consider the Cession to the Company of the whole Tribute paid by the Zemindar of Gauzapoor to the late Nabob, as the first and most essential Condition of a Treaty with the present Nabob. The Advantage gained by the Zemindar will be also very considerable, as it has always been my Opinion that his Authority in his own Government should be left free and uncontrouled. As long as this Advantage is preserved to him, he must consider it as his Interest to be the Tributary of the Company, rather than of the Nabob.

“ Mr. Barwell.—The Policy which the Company have laid down to be pursued, orders us to confine our Views to the Territories of which we are already possessed, and of course precludes the pernicious Consequences which another System might influence. The Company, it is obvious, never intended that, upon the Necessities of our Allies, we should grasp at any Part of the Territory they possessed. The Son of a Man with whom we were so lately intimately connected, upon a Supposition of his standing in Need of our Assistance, ought not, in my Opinion, to be stripped of any Part of his paternal Territory. I am therefore against any Separation of Gauzipore, as inconsistent with Equity and the Company's Instructions. If we can secure to the Son of Sujah Dowlah any Advantages as an Equivalent for such a Cession, I think in that Case it ought to be demanded ; otherwise, that we should be content with receiving from him whatever may be the Charge of the Armament that marches to his Assistance.

“ Colonel Monson.—As I consider the Company's Interest as the Rule of my Conduct, I can have no Objection to the Whole or any Part of the Tribute of the Zemindar of Gauzipore being demanded for the Company ; but I would by no Means consider it as an absolute Condition to be made in consequence of the Defensive Treaty, as I know of no Compensation that is proposed to be given to the Nabob for so considerable a Cession.

“ General Clavering.—It is equally repugnant to my Ideas of Justice, and to my Conception of the Company's Intentions of not enlarging their Territories, to strip any Prince of his Possessions to enlarge the Company's Territories. I only wish to obtain the Sovereignty of Gauzipore by a Negotiation for equivalent Services, and for the Protection to be given to the Nabob. If he pleases to cede it to us upon these Terms, it may be held by the Company without extending the Line of Defence which the Court of Directors has prescribed for the Rule of our Conduct, beyond the Bounds of our present Engagements. By this Means the greatest possible Advantage will be obtained for the Company, without either violating the Principles of Justice, or exceeding the Company's Orders, since the Possession will still remain in the Rajah of the Country, though the Sovereignty and Tribute to be drawn from it will devolve to the Company.

“ The Governor General delivers his Sentiments upon the Question as follows :

“ I am of Opinion that a Demand should be made of a Moiety of the Revenue paid by the Zemindar of Gauzipore ; but I do not think that we ought to insist on this Article, or that his Refusal to consent to it should prove an Impediment to our proceeding on the Treaty. The Zemindary of Benares, whilst the Nabob's Right to the Tribute paid in Acknowledgment of his Sovereignty is admitted, is but Security for the punctual and faithful Discharge of his Engagements with the Company.

“ It is for ever within our immediate Reach, and may be attached at any Time in case of such a Failure on the Part of the Nabob as shall render it necessary and justifiable. A Conviction of this Advantage, and a Dread of incurring so mortifying a Penalty, will at all Times, except in a Case of absolute Insolvency, bind the Nabob of Oude firmly to his Engagements, and eventually prove a greater Benefit to the Company, in his Possession, than if the Revenue was converted entirely to their Use.

“ Resolved, That a Demand be made for the Tribute of Gauzipore, but that it be not considered an absolute and indispensable Article in the Negotiation with the Nabob.

“ The Governor General proposes for the next Question,

“ Whether the Subsidy to be stipulated for the Assistance of our Troops, to the Nabob of Oude, by the proposed Treaty, shall continue on the present Footing of 2,10,000 Rupees per Month, for a Brigade, or what other Sum shall be demanded ?”

" Mr. Francis.—I think, that provided the whole Tribute from the Rajah of Benares be transferred to the Company, we may then be content with the Monthly Subsidy on its present Footing; this however should be our Ultimatum.—The first Demand should be, that the Pay of our Troops, while in the Nabob's Service, be made equal to the real Expence.

" Mr. Barwell is of Opinion, that if the 2,10,000 Rupees are not enough, the Subsidy should be made equal to the real Expence.

" Colonel Monson.—If the present Subsidy is not equal to the Expence, a Demand should be made on the Nabob, to make the Subsidy equal to the Expence of the Troops he may require.

" General Clavering.—As I only consented that he should have the Assistance of our Troops on Condition of the Cession of Gauzipoor to the Company, I am of Opinion, that without that Condition obtained, no Subsidy whatever will be equivalent to the Risque and Expence which the Company may be drawn into, in consequence of our affording Support to a Prince so incapable of governing as the young Nabob is represented to be, and who is surrounded on every Side by Competitors to the several Countries to which he has succeeded. The present Subsidy is thought to be inferior to the Expence of the Troops in the Field by 70,000 Rupees per Month, exclusive of the Cost of bringing Recruits from Europe, and the Price of Military Stores; the Amount and the Value of which cannot be estimated.

" The Governor General.—I am of Opinion, that the present Subsidy is sufficient, and that it ought not to be increased. I doubt whether a larger Sum would in reality prove a Gain to the Company.

" Resolved, That an Increase of the Subsidy be demanded from the Nabob, to make it equal to the Expence of the Troops.

" Ordered, That the Secretary prepare Instructions for the Resident at the Court of Oude, agreeable to the above Resolutions, and those of the 13th Ultimo."

To prove that the before mentioned Resolution particularly referred to by the Managers for the Commons, *supra* Page 48, relative to the Rajah of Gauzepoor being made independent, was communicated to the Court of Directors;

The Witness produced Book X. intituled, "Bengal Letters received from 12th April 1774, to 6th April 1775."

Read, 1st, 2d, 3d, 4th, 5th, and 6th Paragraphs of a General Letter, Secret Department, dated Fort William, 24th March 1775, to the Court of Directors.

" To the Honourable the Court of Directors for Affairs of the Honourable the United Company of Merchants of England trading to the East Indies.

" Honourable Sirs,

" 1st. We had the Honour to address you in Duplicate from this Department by the Bute and *Secret Dep.* Pacifick, under Date 24th of last Month.

" 2d. Soon after the Departure of these Ships, we resumed the Consideration of the Conditions on which it would be expedient to renew our Treaties with the Nabob of Oude, should he require it.

" 3d. The Subject was agitated in Council with every Degree of Attention and circumstantial Discussion which its Consequences demanded. The Opinions and Arguments of the different Members are fully recorded in the *Proceedings*, to which we beg leave to refer. The Resolutions of the Board upon them were in Substance as follows:

" 1st, That we should agree to guarantee to the Nabob the Possession of his ancient Dominion of Oude, without any Limitation, and of those of Corah and Illahabad conditionally, till your Determination on the Treaty of Benares be known.

" 2dly, That we should not take upon us the Defence of the Conquests of the late Vizier in the Doaub, or in any Shape interfere in its Affairs.

" 3dly, That the Company having fulfilled in their Engagements with respect to the Rohilla Expedition, we should not guarantee the Possession of that Country to him.

" 4thly, That it should be an Article in any new Treaty with him, that the Rajah of Gauzipore should be rendered totally independent, and left to exercise a free Authority in his own Dominions, subject only to the Payment of his Tribute.]

" 5thly, That in Return for the Guarantee and Protection, which we thus agreed to afford the Nabob, we should demand from him the *Cession*, in Favor of the Company, of the Tribute now paid to him by the said Rajah of Gauzipore.

" 6thly, That it should be stipulated in the new Treaty, That in case of our Troops marching to the Assistance of the Nabob, he should pay a Monthly Subsidy equal to the real Expence.

" 4th. These Resolutions were communicated to the Resident at the Nabob's Court, and he was instructed to regard them as the Ground Work of any Treaty which shall be negotiated between the Nabob and this Government; but that he should listen to no Proposals until all the Claims, in virtue of his late Father's Engagements with the Company, shall have been adjusted, and Payment made, or Security given for the Sums which shall appear due. *Conf. 8th March.*

" 5th. We also instructed Mr. Bristow, in treating with the Nabob on the different Articles above specified, to assure him of our sincere and steady Attachment to him, and in a respectful and amicable *Ditto,*

cable Manner to expose to him our Reasons for the Limitations we proposed in the Treaty, and for expecting the Equivalent we demand. We even gave him Liberty, in case he should find the Nabob disposed to comply with the Cession of the Tribute of Gauzipore, which we look upon as an essential Article for the Company's Interest, to yield something in the Article of the Subsidy for the Troops; and to intimate, as from himself, that we may content ourselves with the present Stipulation, or some other Sum short of the real Expence.

" 6th. But if the Nabob should positively refuse to treat on the Terms above mentioned, we then directed Mr. Bristow to suspend all further Negotiations with him, informing him at the same time, that it is our Determination, in this Case, to withdraw our Troops from his Country, and to notify to us his precise Answer.

" Signed, Warren Hastings.

J. Clavering.

Geo. Monson.

Rich^d. Barwell.

P. Francis."

To prove that the Sovereignty of Benares was transferred to the Company, the Witnesses produced Book XI. intituled, " Bengal Secret Consultations, from 6th June to 31st July 1775."

Read, following Extracts, beginning at Page 1 of the same Book.

" Fort William, 6th June 1775.

" At a Council; Present,

The Honourable Warren Hastings Esquire, Governor General, President;

Lieutenant General John Clavering,

The Honourable George Monson,

Richard Barwell, } Esquires."

Philip Francis,

" The Persian Translator sends in the following Translation of the Letter enclosed in Mr. Bristow's last Letter, received and entered in Consultation 31 ult^o.

" Copy of a Representation delivered to the Nabob Asoph ud Dowlah, on the 15th of Rubbee-ul-Auwrel (16th May), from Mr. Bristow, enclosed in that Gentleman's Letter to the Board, dated 17th May 1775.

" It occurs to me, that if your Excellency would grant the Company the Revenue and perpetual Jurisdiction of Rajah Chite Sing's Zemindarry, on Condition of their protecting the Countries of Oud, Corah, and Illahabad, as specified above, and encrease the Sum formerly stipulated for the Pay of the English Troops, the English Chiefs would probably consent thereto. The resigning them so small a District, from which your Excellency derives so little Advantage, and where your Authority is so limited, in Comparison of your other Dominions, is a Matter of no Consequence to you.

" I have drawn up the Articles, which now occur to me, in the Form of a Draft of a Treaty, which I now send your Excellency; and such as I do not at present recollect, when they occur to me, I will represent to you, and at the Time of concluding the Treaty betwixt your Excellency and the English Chiefs, I will insert them therein.

" Draft of the proposed Treaty.

" Whereas the sincerest Friendship and firmest Union subsisted between the late Nabob Vizier ul Mammaluk Asoph Jah Soujah ul Mulk, the Nabob Sujah ul Dowlah, and the Honourable East India Company; and as the Nabob Asoph ud Dowlah Tahyau Khan Bahadre Huzzubber Jung is the immediate Heir to all the Dominions of the said Nabob deceased, the Nabob Asoph ud Dowlah and the Nabob Amad ud Dowlah, Mr. Warren Hastings Bahadre Jelladur Jung, President and Governor, and the other Members of the Council of Calcutta, in the Name and on the Part of the English Company, do engage, on their respective Parts, to observe the following Articles.

ARTICLE V.

" The said Nabob engages to grant the Revenues and perpetual Jurisdiction of Rajah Chite Sing's Zemindary to the English Company, on Condition of their protecting his Country as aforementioned.

" Read a Letter from Mr. Bristow, as follows:

" Honourable Sir, and Sirs,

" My last Address was dated the 17th Instant, since when my Attention has been taken up in urging the Proposals for the new Treaty.

" The Nabob did this Day give me a verbal Answer, that he acquiesced in them all, and would To-morrow finally settle every Article to my Satisfaction."

" Received a further Letter and Inclosures from Mr. Bristow, the Resident at the Court of Oude.

" Honourable Sir, and Sirs,

" I addressed the Honourable Board last on the 19th instant,

" Having

" Having nearly settled the proposed Treaty between the Nabob Asfup-ul-Dowlah and the Honourable Company, I herewith enclose the Copy of it in the Persian Language, and a Translation in English; the Original I did not chuse to trust by the Dawk, for fear of Accidents.

" The Nabob objected to my inserting any Thing concerning the Money Engagements of the Company with the late Vizier in the Treaty, upon the Pretence, That it (the Treaty) related only to what was to be perpetual. Such Matters as were only temporary and personal ought to be confirmed in separate Papers of Agreement. In this Light too he was pleased to consider the delivering over Benares without Incumbrances of Tuncaws, &c. The Copies of the Agreements in Persian, and the Translations in English, I herewith enclose. That relative to the Money will be returned on his Excellency's performing it. The other, relative to Benares, shall be sent along with the Treaty, by any Mode of Conveyance which the Honourable Board may be pleased to point out.

" Together with the Treaty, I received Perwannahs from the Nabob to Rajah Chyte Sing, the Cutwal, and the Daroga of the Mint at Benares, directing them to deliver over their separate Trusts to the Company at the stipulated Time. I have enclosed the original Perwannas by this Night's Dawk to Mr. Motte, desiring him and the other Parties to acknowledge the Receipt of them.

" The Nabob Asfuf-ul-Dowlah, Ictayaz Cawn, Behadre Hozebbur Jung, on the one Part, and the Honourable Warren Hastings Esquire, Governor General, and the Members of the Supreme Council of Fort William, for and in the Name of the English East India Company, on the other Part, agree to the following Articles.

[" Fifth. The said Nabob, for the Defence of his Country, as above specified; declares, that he has given up, of his own free Will and Accord, unto the English Company, all the Districts dependent on Rajah Cheyt Sing; together with the Land and Water Duties, and the Sovereignty of the said Districts, in Perpetuity. That the English Company shall, after One Month and a Half from the Date of this Treaty, take upon them the Sovereignty and Possession of the Districts under Rajah Cheyt Sing, as here-under specified; viz:

Sirkar Benares — The Districts of Juaupore.

Sirkar Chumar — Bijchpore Bahdow.

Suktessequi — Mullbosi Kawsa.

The Sirkah Gawzypore.

The Pergunnah of Seckunderpore Jeride Shaa'y, Abad, Toppa Surchehur, &c. as formerly, the Mint and Cutwally of Benares.

Compared with an attested Copy sent down by Mr. Bristow, and found to be an exact Translation, except that the Word Bahdow, in the List of Districts, was omitted; which I have inserted.

(Signed)

J. H. D'Oyly,
Acting P^a Tr."

" Translation of an Agreement under the Seal of his Excellency the Nabob Asfuf ul Dowlah.

" In case of any Persons having any Demands; or having received Tuncaws, on Rajah Cheyt Sing, or on the Districts under him, agreeable to my Orders, such Demands * Tuncaws do not depend on the said Rajah, or on the said Districts, but are due from myself.

" The Possession and Sovereignty in Perpetuity of the said Districts under the said Rajah, without Incumbrances, Delay, Dues, Debts, Tuncaws, &c. I wholly give up to the English Company, at the Expiration of One Month and a Half.

" Dated the 20th of Rubby ul Ewnt, 1189 of the Hegira, or the 21 of May 1775.

" A true Translation.

" (Signed) John Bristow, Resident at the Court of the Nabob of Owd.

" Compared with an attested Copy sent down by Mr. Bristow, and found to be an exact Translation.]

(Signed)

J. H. D. Oyly,
P^a Tr."

" Agreed that the following Letter be written to Mr. Bristow.

" To Mr. John Bristow, Resident at the Court of the Nabob of Owde.

" Sir,

" We have received your Letter, inclosing Copies of the Treaty proposed to be entered into by the Company with the Nabob Asoph ul Dowlah, and of the separate Engagements executed by him. We entirely approve of every Article in the Treaty, and the Negotiation of it. We have ordered Two fair Copies to be immediately engrossed in Form, which we shall transmit to you as soon as possible, with our Signature and the Seal of the Company affixed to each, that you may obtain the Seal and Signature of the Nabob in like Manner, to return them to us.

" In the mean Time, however, you will directly make known to the Nabob our Acceptance of this Treaty."

To prove that an Account of the abovementioned Treaty with the Nabob Asoph ul Dowlah was communicated to the Court of Directors;

* Sic in Orig.

The Witness produced Book VI. intituled, " Bengal Letters received 16th May 1775, to 20th January 1776."

Read, 2d and 3d Paragraphs of a General Letter, Secret Department, from the President and Council at Fort William in Bengal, to the Court of Directors. Dated 3d August 1775.

" Signed, Warren Hastings.

J. Clavering.

Geo. Monson.

Rd. Barwell.

P. Francis.

" 2d. It is now with the greatest Satisfaction we can inform you, that the Nabob Asoph ul Dowlah has contented fully and totally to the Terms we proposed for a new Treaty with him, as advised you in our Letter of the 24th of March last. The Treaty was finally adjusted between the Nabob and the Resident, at his Court, on the 21st of May last, and the Ratification executed by us immediately after the Receipt of the Treaty.

6th June.

" 3d. In the Consultation referred to in the Margin, is inserted an exact Copy of the Treaty as signed by us. The Articles differ in nothing essential from those agreed upon to be offered to the Nabob, when we first determined to renew our Alliance with him. The Cession of Benares, and the other Territories of the Rajah Cheit Sing, to the Company, we flatter ourselves will prove perfectly agreeable to your Ideas, as it conveys a valuable Acquisition to the Company, without incumbering them with any new Engagements, or loading them with additional Expences; nor, indeed, is it liable to the Objection of involving them in the Trouble of new Collections, and new Establishments, with all the Disorders which attend them. The Revenue which accrues from this Acquisition amounts to Rupees 23,72,656 : 12, and will be paid by the Rajah in monthly Payments as a neat Tribute, without rendering any Accounts of his Collections, or being allowed to enter any Claim for Deductions. You will observe, that the Cession of the whole Zemindary of Chitling, with all the Powers and Rights annexed to it, is made immediately to the Honourable East India Company, without any Participation with the Subah of these Provinces, or any formal Union of Title or Possession between this and the Company's former territorial Acquisitions. In the Treaties entered into with the late Vizier Suja Dowla, in the Years 1765 and 1770, the Company's Representatives acted as Plenipotentiaries from the Nabob Nugum ul Dowlah, and his Successor Syeful Dowla. We hope that our securing to the Company the exclusive Right to the rich Zemindary of Benares, independent of the Sovereignty of Bengal, will be deemed a Service of Importance to their Interests, and favoured with their Approbation. It is not yet finally settled with the Rajah, whether the Tribute shall be paid at Patna or Calcutta. We wait his Answer to our Proposal on this Head, as well as to some others regarding the Cutwally and Mint at Benares, and to our Recommendation of his keeping up a Body of Cavalry to be ready for our Assistance when called upon. When these Matters are adjusted, we shall duly advise you; in the mean Time, the Governor General's Proposals respecting them, and our Deliberations upon them, will be seen in the Consultations."

12th June.
5th July.

Then the Managers for the Commons stated, That having traced the Business as far as the Transfer of the Sovereignty of Benares to the East India Company, and all the Rights of the different Parties, at the different Periods at which they held them, they would now proceed to shew what Acts of Confirmation and Extension of the various Rights of Cheyt Sing, were granted to him by the East India Company; and as the next Paper they proposed to read would go to several of the Allegations in this Article, they thought it proper to apprise the House, that it related not only to the general Settlement proposed with the Rajah Cheyt Sing, but to the Grants of the Cutwally and Mint, and to the Proposal of his maintaining a certain Body of Cavalry.

The Witness was desired to produce the Bengal Secret Consultation of the 5th July 1775, in Book XI.

The Managers for the Commons stated, That the Minute of the Defendant, which they were about to read from this Consultation, consisted of Five Propositions, with the Defendant's own Observations and Comments on each of the said Propositions; it might, perhaps, therefore tend to Elucidation, if, instead of reading them successively in the Order in which they appear to be entered in the Consultation, each Proposition, and the Observations on it, were read separately and distinctly, one after the other, beginning with the First Proposition, then the Observation on that Proposition, and so on. The same was agreed to.

Read, the following Extracts from Bengal Secret Consultation, 12th June 1775. Book XI. p. 99.

" Fort

" Fort William, 12th June 1775.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President.
Lieutenant General John Clavering.
The Honourable George Monson.
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dep.
Monday.

" Read and approved the Consultation of the 8th instant.

" The Treaties with the Nabob Asoph ul Dowla being written fair in English and Persian, Treaty executed. agreed that they be signed and sealed with the Company's Seal, and transmitted to Mr. Bristow, with the following Letter.

" To Mr. John Bristow, Resident at the Court of the Nabob of Owd.

" Sir,

" The Treaties being drawn out in Form, and ratified by us, we now inclose them to be executed by the Nabob, after which you will return one of the Copies to us, and deliver the other to him.

" Fort William,
12th June 1775."

" We are, &c.

" The Governor General lays before the Board the following Minute and Observations for their Consideration.

" The Sovereignty of the Zemindarry of Benaris, and its Dependencies, having been ceded in Perpetuity to the Honourable Company, by the Fifth Article of the Treaty lately formed with the Nabob Asoph ul Dowla, it becomes immediately necessary to determine in what Manner this Right shall be exercised, and the regular Payment of the Revenue due from the Rajah secured.

" The Governor General moves, That this Subject be taken into the Consideration of the Board, and submits to their Correction and Approval the following Plan of Settlement with Rajah Cheyt Sing, to be observed until the Pleasure of the Company respecting it shall be known, declaring his Readiness to acquiesce in any other which may be proposed on Terms by which more effectual Provision may be made for the Interest of the Company, without an Encroachment on the just Rights of the Rajah, or the Engagements actually subsisting with him.

" Prop. 1. That Rajah Cheyt Sing shall pay into the Treasury of the Honourable Company at Patna, in equal monthly Payments, the yearly Revenue of 22,48,449, Senewant R^{ti}. being the Sum settled with the late Nabob Sheja Dowla, and confirmed by an Agreement executed by the said Nabob, in Presence of the President of the late Council of Fort William, at Benaris, under Date the 6th September 1773.

" Observ. 1. There is no Question that the Rajah can well afford to pay this Proportion of the Rents of his Zemindarry, which consists of as rich and well cultivated a Territory as any District perhaps of the same Extent in India.

" The Company have a clear and indisputable Right to this Sum, nor is it likely that he will either contest it, or desire any Remission of it. Besides, the other Conditions proposed in this Plan will virtually prove both an Augmentation of his Means and a Diminution of his real Payments to Government, as will be shewn in the Remarks on the last Article.

" It is proposed to receive the Payment of his Rents at Patna, because that is the nearest Provincial Station, and because it would not frustrate the Intention of rendering the Rajah independent. If a Resident was appointed to receive the Money as it became due at Benaris, such a Resident would unavoidably acquire an Influence over the Rajah and over his Country, which would in Effect render him the Master of both. This Consequence might not perhaps be brought completely to pass without a Struggle, and many Appeals to the Council, which, in a Government constituted like this, cannot fail to terminate against the Rajah; and, by the Construction to which his Opposition to the Agent would be liable, might eventually draw on him severer Restrictions, and end in reducing him to the mean and depraved State of a mere Zemindar.

" Prop. 2. That the Rajah shall be empowered to exercise a complete and uncontrouled Authority over his Zemindarry, under the acknowledged Sovereignty of the Honourable Company, in the Government of the Country dependent on him, in the Collection of the Revenues, and in the Administration of Justice.

" Observ. 2. The Advantages which the Rajah will receive from these Concessions, exclusive of the Gratifications which his Pride would obtain from the Possession of a State of Power and Dignity, unknown to any of his Ancestors, and the Security of his Person and Possessions from the Company's Protection, may be rated equal to many Lacks of Rupees, which, though saved to him, are no Loss to the Government on which he depends, being all Articles of in visible Expence in Fees to the Ministers and Officers of the Nabob, in the Charges of a double Establishment of Vackeels to both Governments, in Presents and Charges of Accommodation to the Nabob during his Residence at any Place within the Boundaries of his Zemindarry,

darry, in the Frauds, Embezzlements, and Oppressions, exercised in the Mint and Cutwally, besides the allowed Profits of those Officers, and the Advantages which every Man in occasional Power, or in the Credit of it, might make of the Rajah's known Weakness, and the Dread he stood in, both of the Displeasure of the Nabob, and the Ill-will of Individuals among the English, who were all considered either in their present Stations or Connections, or the Right of Succession, as Members of the State of Bengal. It would be scarce possible to enumerate all the Inconveniencies to which the Rajah was liable in his former Situation, or to estimate the precise Effect which they produced on his Revenue, and on the gross Amount of his Expences; but it may be easily conceived that both were enormous, and of a Nature the most likely to lessen the Profits of Government, instead of adding to them.

“ Prop. 3. That Sunnuds be granted to the Rajah, specially conferring upon him the Power of appointing Officers to the Charge of the Cutwally and the Mint of Benaris; the latter to be subject to such Orders and Regulations as the Governor General and Council shall at any Time think proper to decree.

“ Observ. 3. These Offices have been considered as Marks of Sovereignty; at least, this has served for the Pretext to withhold them from the Possession of the Rajah, to whom they have been a heavy Grievance, the Cutwally especially, which, being held in Farm, and exercised under the Authority of a Prince who had no Interest in the Welfare or Ease of his People, has always been represented, as in its obvious Tendency it could scarce fail to prove, a Source of the worst Corruption and Oppression, from which there was no Appeal. If there be any Weight in the Plea for referring these Prerogatives to the Company, the Grant of them to the Rajah himself, by special Sunnuds, will be a sufficient Expression of their Sovereignty, although the solemn Renunciation of it already made by the Nabob of Owde, is the best and most valid Charter under which it can be claimed; and while they have Three Brigades and a full Treasury to assert it, there is no Fear that their Right to it will be opposed by Reasonings drawn from implied Symbols of Dominion.

“ Some Regulations will be immediately necessary for the Mint, and others may occasionally become so. No Alterations should be made in the Weight or Alloy of the Coin to be debased, and the Rajah himself hold his Right to the Mint on Condition of his faithful Observance of these Rules.

“ By the Custom of Benares, all Rupees struck in the Mint are called Siccas, and pass as the current Coin of the Country for One Year; after which they are charged with a Batta, varying from 2 to 3 $\frac{1}{4}$ per Cent. according to their Dates, and pass under the Denomination of Sunwants or Gowher Shakees. It is in these Species that the Rents are payable to Government; and while they continue of equal and proper Qualities, they may be introduced into Circulation in the Province of Bahar without Loss to the Company, and with an Advantage to the Collections.

“ But the greatest Care ought therefore to be taken that the Rupees be not debased; for if they are, they will occasion a double Loss on the Company, by the immediate Discount on them in the Treasury, and by a false Currency introduced into the Revenue.

“ Prop. 4. That in Return for these Concessions, and for the Performance of his Duty as a Vassal to the Company, the Rajah shall engage to maintain in constant Pay, and ready at all Times for immediate Service, a Body of Two thousand Horse, on such a fixed Establishment as shall be prescribed by the Governor General and Council; and that whenever the Service of this Corps shall be required by the Governor General and Council, it shall be assigned to the Command of such Officer or Officers as they shall appoint, and be allowed from the Company an additional Pay or Gratuity of Fifteen Rupees per Month for each private Man, and in Proportion for the Officers of the said Corps, during the Time of such Service.

“ Observ. 4. I rather propose this for Consideration, than recommend it. Such a Body of well-disciplined and well-appointed Cavalry will give Credit to the Rajah, and may prove serviceable to this Government, though the Occasions will rarely happen in which we shall want it. The additional Pay will make them our own, when we do want them, and will be no great Expence.

“ Prop. 5. That while the Rajah shall continue faithful to these Engagements, and punctual in his Payments, and shall pay due Obedience to the Authority of this Government, no more Demands shall be made upon him by the Honourable Company, of any Kind, nor on any Pretence whatever shall any Person be allowed to interfere with his Authority, or to disturb the Peace of his Country.

“ Observ. 5. The voluntary Restraint laid by the Government on its own Actions, will afford the Rajah the greatest Confidence, and naturally inspire him with Sentiments of Fidelity and Attachment, both from the Principles of Gratitude and Self-Interest. Without some such Appearance, he will expect with every Change of Government additional Demands to be made upon him, and will of course descend to all the Arts of Intrigue and Concealment practised by other dependant Rajahs, which will keep him indigent and weak, and eventually prove hurtful to the Company. By proper Encouragement and Protection he may prove a profitable Dependant, a useful Barrier, and even a powerful Ally to the Company; but he will

will be neither, if the Conditions of his Connection with the Company are left open to future Variations.

“ Ordered, That these Minutes be circulated to the Members of the Board, for their more attentive Perusal and Deliberation.

Warren Hastings.
J. Clavering.
Geo. Monson.
R^d. Barwell.
P. Francis.”

To prove that the before-mentioned Plan was agreed to by the Council at Calcutta ;
Read, Extract of Secret Consultation, 5th July 1775, from the same Book, p. 420.

“ Fort William, the 5th of July 1775.

Secret Dep.
Wednesday.

“ At a Council, Present,
The Honourable Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Reconsidered the Governor General's Minute and Plan proposed for a Settlement with Raja Cheit Sing, for the Countries lately ceded by the Nabob, which Minute, &c. are recorded in Consultation the 12th June.

“ Read the First Article of the proposed Plan.

“ The Governor General.—When I proposed the Sum of 22,48,449, Rupees, as the Sum to be fixed for the Raja's annual Payments, I meant the Sum which the Raja actually paid to the late Vizier, being the Amount of the Agreement made with the Vizier on the Accession of this Raja to the Zemindary of Benares, and confirmed by the Vizier in my Presence ; but I have since received from the Vackeel sundry Accounts, by which it appears that the Sum annually paid was 23,72,656 : 12.

Settlement
proposed with
Cheit Sing.

“ Ordered, That the Accounts be entered after the Consultation. The Vackeel of Raja Cheit Sing attending the Board in Consequence of the Desire of the Governor General to him, he is called in, and the following Questions put to him :

His Vackeel
attends.

“ Q. In what Manner were the Payments of the Revenue made to the late Nabob, and how was the Money remitted to him ?

“ A. A Kistbundee was formed at the Commencement of every Year, for the Payment of the Revenue by Monthly Kists, or Installments, into the Houses of Cushman Mull, and Latta Bucharaje, Two principal Shroofs at Benares, who were appointed the Nabob's Receivers ; they paid this Money to the Nabob partly by Tuncaws or Assignments, and partly by Remittances in Specie, through the Nabob's Agents who were deputed to Benares for that Purpose.

“ Q. Whose was the Expence of the Shroffage and the Charges of the Receivers ?

“ A. The Nabob's.

“ Q. Do you know whether it would be agreeable to the Raja, or will you undertake on his Behalf to answer for his Consent, to pay into the Company's Treasury at Calcutta, without Deduction, and punctually, in equal Monthly Payments, the same annual Sum which has been hitherto paid to the late Nabob Vizier, and to the present Nabob Asoph ull Dowlah ?

“ A. No. The Raja could not agree to it ; the Risk, the Expence, and the Length of the Way, are insuperable Obstacles.

“ Q. Do you know if the Raja would consent to pay his Rent at Patna ?

“ A. There are Two Objections ; the Length of the Way, which would occasion a great Expence, and the Risk.

“ Q. What Authority do you hold from the Raja, and under what Commission do you act ?

“ A. I have no other Authority than the Letter which I have delivered to you from my Master.

“ The Vackeel now takes his leave and withdraws.

“ Read again the First Article of the Governor General's Plan, and his Observations on it.

“ Mr. Francis.—I agree to the Sum, upon the Supposition that it is equal to the Whole of what was paid by the Raja to the late Nabob, but I think it ought to be paid into the Company's Treasury at Calcutta, at the Raja's Risk and Expence.

“ Mr. Barwell.—I agree to the Question, but prefer Calcutta ; and if the Raja cannot be persuaded to make the Payments there, the Company might subscribe to the Difference of Exchange and Remittance.

“ Colonel Monson.—I agree to the Question, but think the Raja should be asked to make his Payment at Calcutta.

“ General Clavering is of the same Opinion.

“ The

" The Governor General.—I agree with the Board that it would be more expedient, but as it will be attended with a great Expence, the Raja will no Doubt require an Allowance for the Difference. It may be proposed to him.

" Agreed to the First Article of the Plan, but that it be proposed to the Raja to pay his Tribute at Calcutta instead of Patna.

" Read the Second Article of the Plan.

" Mr. Francis approves of this Article, reserving only our Claim to a reasonable Compensation for the Surrender of the Cutwally and Management of the Mint to him, if the latter should be left entirely to him.

" Mr. Barwell is of Mr. Francis's Opinion.

" Colonel Monson.—No Concession should be made to the Raja; he should remain exactly in the same State of Dependence and Subordination to the Company as he was in to the Nabob.

" General Clavering.—I am of Opinion that the Raja should hold his Zemindary of the Company, on the same Footing precisely that he held it of the late Nabob; and that, if the Administration of Justice be given to him, a suitable Equivalent may be obtained, equal to the Advantages that may accrue to him from it.

" The Governor General observes that his Opinion is included in the Question.

" Agreed to the Second Article of the Plan, but that a Compensation be demanded of the Raja for the Cutwally.

" Read the Third Article of the Plan.

" Mr. Francis.—The Grant of Sunnuds for the Cutwally should be in Consequence of a pecuniary Compensation to be agreed upon between us and the Raja.—If it be thought fit to leave him in Possession of the Mint, it may be necessary that the Company should appoint a Mint Master to take Care that the Standard of the Rupees, to be coined there, shall not be altered, or that some other sufficient Precaution be taken for that Purpose. He should also, I think, pay some Compensation for so great a Privilege as that of a Mint.

" Mr. Barwell.—I think the Raja should be made the Officer of this Government, to exercise the Sovereignty in the Two Instances noticed in this Article, in preference to any other Person; he should pay to the Government the Sum at which the Cutwally and Mint were leased for this last Year, or upon a Medium for these Three last Years, by the Nabob Vizier. It should be particularly specified in the Article for the Mint, the Standard at which the Coin is to be kept up; and that, in consequence of any Abuse proved upon the Officers entrusted with the Management, it shall be deemed a Breach of this Article, and render it void.

" Colonel Monson.—Sunnuds may be granted to the Raja for appointing Officers to the Cutwally and Mint, on his paying an annual Compensation for them. The Raja to be responsible that the Coin be not debased; if it should, his Right to the Zemindarry to be forfeited, and to be disposed of as the Company shall think proper.

" General Clavering.—I have no Objection to giving the Cutwally both of Benares and Juanpore to the Raja, upon his making a just Compensation for all the Advantages which he will receive from it; and I am of the same Opinion with regard to the Mint, provided it should be thought proper to establish it at Benares, but in that Case there should be either an Officer from this Government to superintend it; or the Raja should be subject to a very severe Penalty if the Superintendancy of it is left with him, and that he should debase the Coin; but I think it is impossible to determine these Points till we know the Raja's Sentiments upon them.

" The Governor General's Opinion is comprehended in the Question.

" Agreed to the Terms of the Third Article, on the Raja's paying an annual Compensation to the Company for the Cutwally and the Mint, and obliging himself to coin Money of the precise Standard only, which shall be fixed by the Board.

" Read the Fourth Article.

" Mr. Francis.—I object to our compelling the Raja to keep up an extraordinary Force for our Service, considering it in Effect as an Encrease of the Tribute, which is contrary to the Principles which have guided my Judgement from the first Outset of this Negotiation: I have no Objection however, to its being made an Article of Agreement with him, that he shall either put the Troops, which he now keeps, upon a better Footing in point of Discipline, or disband them, and raise an equal Number in their Stead. What will be the best Method of making such Troops useful, or whether Cavalry should be preferred to Infantry, are Military Points of which I do not pretend to judge. I understand that there are local Objections to the Utility of Cavalry in the Raja's Country.

" Mr. Barwell.—I am of Opinion, that the Raja should keep up such a Body of Forces, but entertain the same Sentiments with Mr. Francis respecting its being an Enhancement of his Tribute, and of any Degree of Compulsion to induce him to it.

" Colonel Monson.—I am of Opinion, the Company should receive the Raja's Assistance on the same Terms he gave it to the Vizier, or the present Nabob. Cavalry, I understand, is an improper Force for this Country, which is bounded on the North by the Gogra, on the South by the Mountains, on the West by Asoph ul Dowla's Territories, and on the East by Bahar. The Extent Westward from North to South is not above Fifty or Sixty Cos, which is watered by Four Rivers, the Gogra, the Gumpy, the Say, and the Ganges; intersected by many very considerable Nullas, and

and otherwise strengthened by Woods, Enclosures, and Villages. That Part to the West of the Frontier from the Gumptry to the Ganges, is almost an entire Jungle, inhabited by Robbers. There is no Ground in the Country, or its Environs, North, West, and South, for some Distance, free from Mountains, Nullas, Tosses, Brushwood, or Jungle Enclosures and Villages; I therefore think Infantry a more proper Force for this Country; but if the Raja should be required to keep Cavalry, more for the Defence of these Provinces than his own, they should be officered and disciplined in the European Manner.

" General Clavering.—I understand that the Raja does keep up a large Body of Cavalry, and that 500 of these, which assisted under the Command of the Captain of the Governor's Guards in the Conquest of the Rohilla Country, were absolutely useless by their total Want of Discipline when they took the Field, but improved during the Campaign. I would not compel the Raja to keep up any Troops, but I would recommend it to him to maintain the Number which the Governor General has proposed for his and our Assistance; and as the Country of Bahar is open, where Cavalry may always act with great Advantage, and as the Company does not maintain any, I think it should be recommended to the Raja to appoint some English Officers to discipline and command his Troops, by the Means of which great Benefit may be derived from them in case of a War with the Mahrattas.

" The Governor General.—The Accounts which have been given to me of the Zemindarry of Benares, differ very much from Colonel Monson's Description of it, and represent it as open, perfectly well cultivated, and but little intersected with Rivers; the Gogra forms the Boundary of one Part of it, and the other Rivers are very inconsiderable; all these lie to the North of the Ganges; on the South Side, I do not remember one: It is on this Side that Provision should be made for its Defence, as it is liable to Invasion on the other from no Quarter but the Province of Oude. It was far from my Intention to propose this or any other Article to be imposed on the Raja by Compulsion: I do not conceive he would object to this, but am willing to yield my Opinion of the Propriety of such an Establishment to the General and Colonel Monson, who, from their Experience, must be the most competent Judges; I only proposed it as an Article of Speculation.

" Resolved, That it be recommended to Rajah Cheyt Sing, to keep up a Body of 2000 Cavalry, to be disciplined after the European Manner, but that there be no Obligation on him to do it.

" Read the Fifth Article.

" Approved the Proposal in this Article."

Notice being taken, that, as the Clerk read, the Fifth Article appeared to be approved by the Board without Comment—The Managers for the Commons informed the House it was.

The Managers for the Commons then stated, that they would next proceed to shew, that the Plan so approved of by the Board, was communicated to the Rajah Cheyt Sing, under the Orders and Authority of Mr. Hastings, contained in certain Instructions to Mr. Fowke; which Instructions they should also produce for the further Purpose of shewing the Sense which the Council themselves put upon the Words which have given rise to so much Dispute, viz. " The Sovereignty of the Company."

The Witness produced Book XII. intituled, " Bengal Secret Consultations, 10th August to 2d October 1775."

Read, the following Extracts from Bengal Secret Consultations, 24th August 1775, beginning at Page 85 of the said Book.

" Fort William, the 24th August 1775.

Secret Dep.
Thursday.

" At a Council, Present,

The Honourable Warren Hastings, Governor General, President.

Lieutenant General John Clavering.

The Honourable George Monson.

Richard Barwell, } Esquires.

Philip Francis, }

[" The Secretary having prepared the Draft of Instructions to Mr. Francis Fowke, and not having specified the Amount of the Sum of the Nuzzerana to be paid by the Rajah;

" Agreed, That it be fixt at 10,000 Rupees, as the Board consider this Sum to be about equal to the Value of the Khelaat with which it will be necessary to invest the Rajah.

" The Instructions are amended and agreed to as follows:

" Instructions to Mr. Francis Fowke.

" 1. Having thought proper to appoint you to proceed to Benares to deliver to Raja Cheyt Sing his Sunnuds of Investiture from this Government, of the Zemindarry lately ceded by the Nabob of Owde to the Company, and to make fundry local Enquiries to enable us, from your Reports of the same, to form a final Settlement with the Raja of the Terms on which

Rajah Cheyt
Sing's Nuzze-
rana to be
10,000 Ru-
pees.

Instructions to
Mr. Fowke.

which he is to hold the Zemindarry, we now furnish you with full Instructions to accomplish these Ends.

" 2. On your Arrival at Benares you will wait on Raja Cheyt Sing, and present him with the Sunnuds which will be entrusted to you for that Purpose, having first notified to him the Sovereignty of the Company over all the Territories of his Zemindarry, and received from him, on account of the Company, and in their Name, a Nuzzerranee, or Acknowledgment of his Vassallage, which we fix at 10,000 Rupees; you will then require him to publish this Act by Proclamation through his Country, and invest him with a Khelaat in his Palace, with all the usual Formalities.

" 3. You will next inform the Raja that he is not to enter into any Alliance or Engagement with any Foreign Prince, on pain of forfeiting his Zemindarry.

" 4. It will be proper to assure the Rajah, that we do not mean to increase his Tribute, but to require from him the exact Sum, and in the same Species of Rupees, to be paid at Benares, as he paid to the late Vizier Suja ul Dowlah, besides whatever Equivalent may be fixed for the Grant of the Mint and Cutwally to him, the Whole to be discharged by equal monthly Kists, and if we should find it expedient hereafter to receive the Amount at the Presidency, a suitable Deduction or Commission shall be allowed to him for the Expence and Risk of transporting or remitting it.

" 5. That under the acknowledged Sovereignty of the Company, we are determined to leave him the free and uncontrouled Management of the internal Government of his Country, and the Collection and Regulation of the Revenues, so long as he adheres to the Terms of his Engagements, and will never demand any Augmentation of the Annual Tribute which may be fixed.]

" 6. As we deem it very essential that the Raja, for the Protection of his Zemindary, should maintain a Body of regular Troops, we would strongly recommend to him the keeping in constant Pay, and ready at all Times for Service, Two thousand Horse, disciplined and clothed after the European Manner; we cannot authorize you to insist upon this Article; however, as it appears so obvious for his own Interest, we doubt not but he will readily agree to it; and it must be left to his Option to keep up or reduce his present military Establishment: In Consequence, and as an Inducement, we will agree, that whenever we may find Occasion to call for the Assistance of this Corps, or any Part of it, we will pay a Gratuity of 15 Rupees per Month for each private Man, and in proportion for the Officers, during the Time that they may be in our Employ.

" 7. The Raja of Benares being very desirous that the Mint should be continued in that City, and that the Management of it should be intrusted to him, and having offered to pay the Company a fixed annual Compensation for that Privilege, we have thought fit to decline entering into any Agreement with him on the Subject of his Proposal, until we should receive some certain Information of the present State and Management of the Mint, and of the probable Value of the Privilege proposed to be granted to the Raja.

" 8. We therefore direct you to make a strict Enquiry into the following Points, and report to us the most exact Information you may be able to obtain thereon.

" 1st. What Sum the present Farmer of the Mint paid directly to the late or present Nabob of Oude, or in Presents to his Ministers, for that Farm.

" 2dly. What is the exact Standard and Weight of the Rupees coined in that Mint in the Course of the last Twelve Months.

" 3dly. What was the exact Standard and Weight of the best Rupees that have been coined there at any Time since the Year 1765 inclusive.

" 4thly. What Quantity of Bullion has been coined since the Year 1765 inclusive, specifying the Number of Rupees coined in each Year.

" 9. In the mean Time you may observe to the Rajah, that it is to be made a necessary Condition, on our giving up the Mint to him, that the Weight and Standard of the Coins, which shall be struck in it, be fixed by us; and that on Proof of any Deviation from them, or of his coining any other Specie in the Mint, the Grant of it shall immediately become void.

" 10. We also direct you to enquire, and report to us, what Sums were paid to the late or present Nabob by the several Cutwals in the Zemindarry of Raja Cheyt Sing, for the Privilege of holding those Courts, in order that we may know what Compensation the Company may reasonably expect for making over the Cutwally to the Rajah.

" 11. It may be of Service also, that we should be thoroughly informed of the Nature of the Weights and Measures in general Use in the Districts of Gauzipore and Benares; we therefore desire you will make yourself acquainted with these as early as you may have an Opportunity, and report a State of them to us.

" 12. We further think it necessary to direct, that you make such Enquiry as you may be able into the State of the Trade of this Zemindarry for some Years past, but particularly into its commercial Intercourse with the Company's Provinces, the Restrictions it lies under, whether it has been in the Increase or Decrease of late, and the Condition of it at this Time: You will endeavour to obtain a comparative Account of the Exports made to those Parts by the different European Nations settled in Bengal, and report the Whole for our Information, with such Proposals as you may think fit to offer for its Relief or Improvement.

" 13. As it will be impossible for you to obtain a competent Knowledge of this Branch immediately, you may refer it for a future Report; first transmitting us the Information required respecting the Mint of Cutwally, in which we beg that no Time may be lost; as we must wait the

Receipt of it before we can fix the Annual Tribute to be paid by the Raja for the Cession of those Articles, of Course our Engagements with him will remain suspended till that Time.

" 14. But the other Articles from which the Nabob of Owde used to draw a Revenue, as will appear from the enclosed List, which is as accurate as our Information would enable us to form it, we empower you to make a Grant of to the Raja, upon such Terms as you may deem equitable; and you will settle for these with him accordingly.

" 15. We have ordered the Commanding Officer at Chunar to stop all the Europeans who may be found within the Limits of his Command; if they are not furnished with proper Passports; and we enjoin you to give him Notice of any such, of whom you may receive Information; and you will endeavour to engage the Rajah to use every Means in his Power for preventing Europeans, but particularly Foreigners, from travelling through his Districts, without such Passports from this Government.

" We are, &c.

" Postscript.

" We have acquainted the Rajah, that it is necessary he should take an Oath of Fealty or Allegiance to the Company, upon his being invested with the Grant of the Zemindarry; you will therefore require him to make the same on that Occasion."

" Ordered, That the necessary Sunnuds for granting the Zemindarry of Benares and Gauzipore to Raja Cheyt Sing be immediately prepared and delivered to Mr. Fowke, with the foregoing Instructions."

Sunnuds to be prepared for Raja Cheyt Sing.

The Managers for the Commons stated, that they would next produce a Letter from the Board to the Rajah Cheyt Sing, which accompanied Mr. Fowke's Instructions. Same Book, Page 90.

" Fort William, the 24th August 1775.

" Same Consultation.

" Resolved, That the following Letter be written by the Governor General to Raja Cheyt Sing, to be delivered to Mr. Fowke with his Credentials.

" To Raja Cheyt Sing.

" By the Treaty concluded with the Nabob Asoph ul Dowlah on the 21st of May last, of which you are already apprized, the Districts which you held as a Zemindarry from him, and from his late Father, the Vizier Suja ul Dowlah, have been ceded to the English Company.

" The Board have therefore thought proper to depute Mr. Francis Fowke, on their Behalf, to take Possession of these Territories; but being willing to continue the Grant of the Zemindarry to you in as full and ample a Manner as you possessed it from the former Sovereigns, and upon the same Terms, that is to say, on your paying to the Order of the said Company at Benares the annual Tribute of Rupees 23,72,656 : 12, by regular monthly Gifts, or Payments of Rupees 1,97,721 : 6 : 4, in each Month, I have delivered to the Charge of Mr. F. Fowke a Sunnud in the Name of the Company, with a Kelaat, with which he is empowered to invest you in due Form, reserving however to the Company, the Sovereignty of the Country to the full Extent that it was or might have been held by the late or present Soubah of Oude. Upon Occasion of this Investiture, after paying a Nuzzerranna for the Company, which I have fixed at 10,000 Rupees, it is necessary that you take an Oath of Fealty or Allegiance to the Company, by which you are to understand, that on forming any Alliance with a foreign Prince, or acting in any Manner contrary to the Fidelity which you have thus sworn to maintain to the Company, your Zemindarry, with all the Rights and Privileges granted to you by the Company, will become forfeited; and it will be proper that a public Proclamation should be made of these Transactions, that the Natives as well as Europeans may be fully informed of the Grant made to you, with the Reservation of the Rights of Sovereignty to the Company.

" I mean, as soon as it is in my Power, to fix a proper annual Compensation to be made by you for the Grants of the Mint and Cutwalky, to transmit you Sunnuds for them, to continue in Force during your Life; but I must wait for Information from Mr. Fowke to enable me to settle these Matters.

" The other Sources from which the Nabob of Oude drew a Revenue will also be granted you, that you may possess an uncontrouled and free Authority in the Regulation and Government of your own Zemindarry; and Mr. Fowke is authorized to treat with you, to settle the most equitable Terms upon which you may obtain these Articles.

Warren Hastings.
J. Clavering.
Geo. Monson.
R. Barwell.
P. Francis."

Then the Witnesses produced Book 6, intituled, " Bengal Letters, received 16th May 1775 to 20th January 1776."

Read,

Read, following Extract of a Letter, intituled, " Address from the Governor General, N^o 20. dated Fort William, 21st July 1775." (Received per Northumberland, 4th April 1776.)

Signed, Warren Hastings.

" With respect to the Country of Benares, &c. I think it should be left entirely to the Management of Rajah Cheyt Sing, and that we should no otherwise interfere with him than to receive the established Tribute. This I deem to be the best Policy, at the same time that it is most conformable to your abovementioned Orders, and to the Engagements already subsisting with him."

Then the Managers for the Commons stated, That as there had been some Dispute whether the Instruments granted to the Rajah Cheyt Sing were in the Nature of the common Zemindarry Sunnuds, or in the Nature of a Treaty, they would next produce the Defendant's own Opinion upon that Subject.

Read, from Book XII. (before delivered in) the following Extract of Secret Consultation on 4th September 1775, beginning at Page 123.

" Fort William, the 4th September 1775.

" At a Consultation; Present,
Warren Hastings.
J. Clavering.
Geo. Monson.
R. Barwell.
P. Francis.

" The Secretary informs the Board that the Sunnuds for Raja Cheyt Sing being prepared, he circulated the following Proposal of the Governor General for their Opinion.

Secretary.

" The Governor General directs me to request the Opinion of the Board, Whether the Patta, Sunnud, and Coulnama, for the Zemindarry granted to Raja Cheyt Sing, should be signed by him only, or by the Board, remarking at the same time that it has been customary for Dewanny Sunnuds to receive only the Signature of the Governor; but he thinks, that as the Nature of the present Grant is different, and may be considered more in the Light of a Treaty, they should be signed by the Board.

" Saturday Morning.

Signed, J. P. A. Secretary.

" I think it should be signed by the Board, for the Reasons which the Governor General has given.

Signed, J. C.
Agreed, G. M. and P. F.

" Agreed that the Sunnud, Potta, and Coulnama, be now signed, and transmitted to Mr. Francis Fowke."

Then the Managers for the Commons stated, that they had now gone through that Part of the Charge which relates to the Rights of the Rajah Cheyt Sing, and also the several subsequent Acts of Confirmation and of Extension of those Rights by the Company.

Being asked, if there was any Copy of the Sunnud, Potta, and Coulnama, mentioned in the Extract just read;

The Managers for the Commons made Answer, that they thought it proper to observe that the Sunnud, Potta, and Coulnama there mentioned appear no where, as they could find, upon the Consultations: That there was a Sunnud, Potta, and Coulnama, which were to be found in a Book which they should have Occasion in the Course of the Proceedings to give in Evidence, and which have been supposed to be the Sunnud, Potta, and Coulnama granted to Rajah Cheyt Sing: but they should prove it impossible for them to be the same; and that in Truth the real Sunnud, Potta, and Coulnama granted to the Rajah Cheyt Sing did not appear.

Being asked if the Proof then of the Fact did not appear?

The Managers for the Commons answered, That they should prove *negatively* that the Sunnud, Potta, and Coulnama, in the Book alluded to, were not the Sunnud, Potta, and Coulnama granted to the Rajah Cheyt Sing.

They then stated, that it having been argued that the Appointment of a Resident at Benares had changed the Nature of the Rajah Cheyt Sing's Tenure, they should next proceed to shew who appointed the Resident.

The Witnesses produced Book 39, intituled, " Bengal Secret Consultations, from 23 September to 30 December, 1776."

Read,

Read, Extract of Secret Consultation on 2d December, 1776, beginning at Page 640 of the said Book.

" Fort William, the 2d December, 1776.

Secret Dep.
Monday.

" At a Council; Present,

The Hon. Warren Hastings Esq. Governor General, President;
General Clavering,
Richard Barwell, and } Esqrs.
Philip Francis,

" Governor General.—That I may not furnish Occasion to the Board for the unnecessary Waste of Time in the further Motions which I have to lay before the Board, I now deliver them in Writing to the Secretary; and I hope that the Board will consent to bring their Opinions written thereon at our next Meeting. The Motions are as follow:

[" The Governor General also * moves, That Mr. Francis Fowke be recalled from Benares, and his Commission annulled, the express Purposes thereof having been accomplished.

" Mr. Francis.—I need not bring my Opinion in Writing upon either of these Motions. To the First I make no Objection; but as to the Recall of Mr. Francis Fowke, I know no Motive for it; on the contrary, I am satisfied that his Presence at Benares has been of signal Use in preventing the Delays of the Remittance of the Tribute, and to my Knowledge he has done nothing to incur the Displeasure of the Board. I cannot therefore assent to his Recall.

" Mr. Barwell.—The express Purposes to which Mr. Fowke was first appointed, were the Investiture of the Raja, and the settling a Mode for the Remittance of his Tribute. His Commission ceased the Instant the Object of it was accomplished, and Mr. Fowke ought then to have been remanded to Calcutta. He holds no Appointment, and therefore it cannot properly be styled a Removal. I assent therefore to Mr. Fowke's being called to the Presidency.

" General Clavering.—In regard to the Recall of Mr. Fowke, and the annulling of his Office, I cannot help considering it as a vindictive Measure, couched under the Appearance of Public Service, and therefore dissent to the Motion.

" Governor General.—I agree to both Motions.

" Resolved, That both the Motions proposed by the Governor General be carried in the Affirmative."]

Notice being taken that the Motion was resolved in the Affirmative, though the Voices were equal; the Managers for the Commons were asked, Whether Colonel Monson was dead at that Time?

They informed the House he was.

Then the following Letter, written by the Board to Mr. Fowke, was read by the Clerk, from the same Book, p. 647.

" To Mr. Francis Fowke.

" Sir,

" The Objects proposed by your Appointment to proceed to Benares being now accomplished, we have thought it necessary to annul the Commission which was given you for that Purpose. We therefore direct, that you return to this Presidency immediately on Receipt hereof.

" We are, &c.

Signed, Warren Hastings.
J. Clavering.

Rich. Barwell.
P. Francis."

Read, the following Extract from the same Book, p. 743:

" Fort William, the 23d December, 1776.

Secret Dep.
Monday.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
Richard Barwell, } Esqrs.
Philip Francis,

" The Governor General moves, That a Civil Servant of the Company be appointed to reside at Benares on the Part of this Government, for the Purpose of transacting any occasional Business which may arise between this Government and the Rajah of Benares; and that Mr. Thomas Graham may be nominated to this Office, and Mr. Daniel Barwell to be his Assistant.

" Mr. Francis.—If a Civil Servant was necessary for the Purpose described in the Motion, I conceive that Mr. Francis Fowke was perfectly well qualified for that Office. I have no Objection, however, to either of the Gentlemen recommended by the Governor General.

" Mr. Barwell—Agrees to the Motion.

" General Clavering.—I object to it, and leave the Responsibility of the Measure with the Governor General, who must answer for it.

Governor
General
moves that
Mr Thomas
Graham
be appointed
Resident at
Benares.

* N. B. The First Motion has no Relation to this Subject.

Mr. Thomas
Graham ap-
pointed Resi-
dent at Be-
nares, and
Mr. Daniel
Barwell his
Assistant.

“ Resolved, That a Civil Servant of the Company be appointed to reside at Benares, on the Part of this Government, for the Purpose of transacting any occasional Business which may arise between this Government and the Rajah of Benares.

“ Agreed, That Mr. Thomas Graham be nominated to this Office, and that Mr. Daniel Barwell be appointed his Assistant.”

To shew what the Opinion of the Court of Directors was upon this Proceeding, the Witness was directed to produce a Letter from the Court of Directors of the 30th of January 1778.

The Witness produced Book 41, intituled, “ Bengal Dispatches, 30th January to 28th December 1778.”

Read, Paragraphs 65, 66, and 67, of a Draught of a General Letter from the Court of Directors to Bengal, No. 4, dated “ London, 30th January 1778.”

“ Our Governor General and Council at Fort William, in Bengal.

Per Grosvenor,
Osterley,
Godfrey,
Mount Stuart.

Par. 65. “ In your Secret Letter of the 19th of December 1776, you inform us, that the Purposes for which Mr. Francis Fowke was appointed to proceed to Benaris being fully accomplished, you had annulled his Commission, and ordered him to the Presidency. But it appears by your Letter of the 6th of January 1777, that in less than Twenty Days you thought proper to appoint Mr. Thomas Graham to reside at Benaris, and Mr. Daniel Octavius Barwell to be his Assistant.

66. “ If it were possible to suppose that a Saving to the Company had been your Motive for annulling Mr. Fowke’s Commission, we should approve your Proceedings; but when we find Two Persons appointed immediately afterwards, with Two Salaries, to execute an Office which had been filled with Reputation by Mr. Fowke alone, and that Mr. Graham enjoys all the Emoluments annexed to the Office of Mr. Fowke, we must be of Opinion, that Mr. Fowke was removed without just Cause, to make Room for Mr. Graham; and that the Addition of Mr. Barwell’s Salary is a clear Loss of Three hundred Rupees per Month to the Company.

67. “ As it was not pretended that Mr. Fowke’s Conduct had been exceptionable; as he had executed with the greatest Punctuality and Exactness the like Office to which you have now appointed Mr. Graham; and as the Dissent of Mr. Francis, and the Protest of General Clavering, on the Occasion, had no Effect; we think it proper to interfere, and therefore direct, that Mr. Francis Fowke be immediately reinstated in his Office of Resident and Postmaster at Benaris. We however think proper to declare, that though we mean by this Order to do an Act of Public Justice, we by no Means intend it as a Mark of Disapprobation of the Conduct of Mr. Graham, whom we believe to be a very deserving Servant of the Company.

[Signed at the End of the Draught]

Geo. Cumming,
Tho. Cheap,
Samuel Peach,
John Smith,
Robert Gregory,
John Roberts,
Nathaniel Smith,
H. Fletcher,

Geo. Wombwell,
Wm. Devaynes,
Frederick Pigou,
J. Purling,
John Harrison,
Ben. Booth,
Geo. Tatem,
Charles Boddam.”

“ London,
the 30th January, 1778.

Then the Managers for the Commons proposed to read a Letter from the Court of Directors of the 27th of May 1779, to the Governor General and Council at Fort William, in Bengal, in consequence of the Orders in the last-mentioned Letter being disobeyed.

The same was objected to by the Counsel for the Defendant, as not being applicable to any Allegation in this Article.

The Managers for the Commons being heard in Answer to this Objection, the Counsel for the Defendant in Support of it, and the Managers for the Commons in Reply;

The House adjourned to the Chamber of Parliament.

Die Jovis, 28^o Februarij 1788.

THE House being resumed, the usual Proclamations made, and the Defendant at the Bar, the Lord Chancellor said, Gentlemen, Managers for the House of Commons, and you Gentlemen who are of Counsel for the Defendant, I am commanded by the Lords to inform you, that the Managers for the Commons are permitted to proceed, and to read the Letter dated 27th May 1779, from the Court of Directors to the Governor General and Council at Fort William in Bengal.

Gentlemen, Managers for the House of Commons, you may proceed with your Evidence.

Whereupon they called Mr. ROBERT HUDSON, who produced Book 44, intituled, "Bengal Dispatches 1779."

Read, Paragraph 40th of a Letter from the Court of Directors to the Governor General and Council at Fort William, in Bengal, dated 27th May 1779; as follows:

40. "We have read with Astonishment your formal Resolution to suspend the Execution of our Orders relative to Mr. Francis Fowke; your Proceedings at large are now before us; we shall take such Measures as appear necessary for preserving the Authority of the Court of Directors, and for preventing such Instances of direct and wilful Disobedience in Time to come. At present we repeat the Commands in the 67th Paragraph of our Letter of the 30th of January 1778, and direct that they be carried into immediate Execution.

"London,
27th May 1779.

George Cuming,
Henry Savage,
Samuel Peach,
Charles Boddam,
Francis Baring,
J. Stables,
George Tatem,
Signed,
W. Devaynes,
L. Sullivan,
John Harrison,
J. Purling,
H. Fletcher,
John Michie,
J. Manship,
Joseph Sparkes."

To shew what the Proceedings of the Governor General and Council in Bengal, were, in consequence of the Receipt of the abovementioned Letter, the Witnesses produced Book 53, intituled, "Bengal Council, 17th Jan. to 9th March 1780."

Read, the following Extract from the Bengal Public Consultation of the 17th February 1780, beginning at P. 275 of the said Book.

"Fort William, 17th February 1780.

Pub. Dep.
Monday.

"At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Philip Francis, } Esquires.
Edward Wheler, }
Mr. Barwell indisposed.

"The Proceedings of the 14th instant read and approved.

"Read the 40th Paragraph of the General Letter from the Honourable the Court of Directors, dated 27th May 1779.

"Agreed, that Mr. Francis Fowke be appointed Resident at Benares, in Conformity to the Intention of the Court of Directors, and that Mr. Thomas Graham be directed to deliver over the Charge of that Office to him on his Arrival there."

Then the Managers for the Commons stated, that in Point of Order and Regularity they ought next to proceed and shew that the above-mentioned Appointment of Mr. Fowke was annulled by Mr. Hastings, and the Reason of its being so annulled; but, as that did not happen till the Year 1781, a very short Time previous to Mr. Hastings's going up the Country to Benares, it would be better to produce that Evidence in the Chain of Time when it would more regularly and properly come in; that they should now therefore proceed to shew what was stated in the Charge, as the first
Breach

Breach of the Engagements entered into with the Rajah Cheyt Sing, namely, the first Demand of Five Lacks of Rupees, made upon him in the Year 1778*: That they should prove the Demand, the Compliance of the Rajah Cheyt Sing with that Demand, and the Debates of the Council in Consequence of it.

Then the Witness was directed to produce Book 13, intituled, "Bengal Secret Council, 1 June to 10 August, 1778."

The Managers for the Commons informed the House, that on the Day of the Consultation they were now about to refer to, viz. the Bengal Secret Consultation of the 9th July 1778, Mr. Hastings laid before the Board a Variety of Propositions; but as they did not seem connected with each other, they should only read that Part which related to the Rajah Cheyt Sing, namely, the Second Proposition, with the Observations and Resolution of the Council thereupon.

Accordingly the Second Proposition, and the Opinions of the Board thereupon, were read by the Clerk; which done, the Counsel for the Defendant desired that the First Proposition might be read.

They were informed by the House, that by the Rule which had been laid down, they might call for any Part to be read which they thought material, essential, or giving a Colour; that that was the Rule, and the House had great Confidence that nothing improper would be called for; but it was impossible for the House to say what was or was not relevant in this Stage of the Business.

The First Proposition was read; after which the Counsel for the Defendant being asked, if there was any other Part of this Consultation that they desired to have read, made Answer, "if they might express a Wish it was, that the Whole of the Governor General's Minute might be read."

Read, the following Extracts of Bengal Secret Consultation, 9th July 1778, beginning Page 1, of Book 13.

"Fort William, the 9th July 1778.

"At a Council, Present,
The Honourable Warren Hastings, Governor General, President,
Richard Barwell,
Philip Francis, } Esquires.
Edward Wheeler, }

Secret Dep.
Thursday.

"Read the Proceedings of the 7th instant.

"The Governor General having sent the following Note to the Secretary on the Evening of the 7th Instant, it was immediately sent round to the other Members of the Board, and the Meeting of the Council postponed accordingly till this Morning:

"Sir,

The Gov. Gen.
to the Secretary.

"Fearing that the Shortness of Time will not admit of my being prepared for the proposed Meeting of the Council To-morrow, I desire that you will inform the Gentlemen of the Board, that it is my Wish to postpone it, with their Permission, to Thursday.

"I am, &c.

"J. P. Auriol Esq."

"(Signed) Warren Hastings."

Governor General's Minute.

"The Governor General delivers in the following Minute:

"I state the War with France as a Fact of undoubted Certainty. It is the Part of this Government to consider in what Manner it is likely to affect the British Possessions in India, and to provide accordingly for their Security. This must comprise and limit all our Operations. In the View of the opening Scene, the relative Conditions of the Parties engaged in it will merit our first Attention, and cannot fail to engage it by the striking Contrast which appears between them; and I mention it because I think it an essential Point in the Consideration of our first, and perhaps our future Measures.

"Great as the Power is which the British Nation has acquired in India, compared with that of its Rival, its general Line of Action is and must be purely defensive. It can gain, the French lose nothing. Even the Capture of Pondicherry, and of the other Possessions of the French, will yield no positive Advantage to the English, although it will deprive the French of their Instruments of Attack, and thereby affect our own Safety.

"From this Point, therefore, all our Conclusions must originate, and all our Measures be so laid as to obviate or to oppose the probable Designs of our Enemies. Their first Attempts will be against Bombay or Fort St. George. Bengal will be their last, at least their distant Object.

"The Presidency of Fort St. George possesses in itself the complete Means of Defence. We can add nothing to them, but in the Effects of our political Arrangements. We have always yielded it a large Supply of Treasure. It requires no other present Aid.

* Vide printed Articles, Bottom of Page 4, and Top of Page 5.

“ Bombay requires every Thing. Weak in itself, and entangled rather than strengthened by its dissipated Possessions on the Continent, it can only defend itself against a direct Invasion; and to that it is perhaps equal, if it has to contend with the French alone; but this is unlikely. The last Advices from Poona contain such Evidence as the Event itself must soon refute or realize, of an Engagement actually made by the French Minister there to bring a large Military Force to Poona, professedly designed to act with that Government against Ragoba, who at that Time resided at Bombay, under the English Protection.

“ In Effect, this is the obvious Policy which the French ought to adopt, if they seek to regain their Influence in India, and it is no longer to be doubted that they have adopted it. They have besides an ancient Claim to the Alliance of Nizam Ally, which is insured by their accidental Union in a common Cause, the Defence of the ruling Administration at Poona, of which his Letters to Mr. Rumbold and the Nabob of Arcot afford an undoubted Proof.

“ It is then certain that the French mean to establish a firm Interest at Poona. It is probable that they will effect it. The Consequences may be the Attack of Bombay, or, without it, the Re-union of the vast Powers of the Maratta State under its present Government, strengthened by so formidable an Alliance; and a predatory War brought by their united Force into the Dominions of our Ally the Nabob of Owd, or even into the Heart of our own.

“ To guard against such Consequences ought, in my Opinion, to be our first Object, both for the immediate Defence of Bombay, and the further Security of Bengal. We cannot send Succours directly to Bombay. If Bombay should be attacked by the French unsupported by a Maratta Alliance, I have already said that I hope its present Force is equal to its Defence: But if it should be attacked, or in certain Danger of being attacked, by the French and Marattas in Alliance, an offensive War must be undertaken in Defence of Bombay.

“ The Detachment under Colonel Leslie may be employed in this Service. It can be spared without Danger to Bengal, which is secure from a present Invasion, and can soon be replaced. But it consists of a Force too inconsiderable to engage singly in such a Contest. Unless it can be assisted by an Ally equal in Power, or so nearly equal to that of the Peshwa, as to give our united Strength a Degree of Superiority over the Combination to which it would be opposed, the Undertaking would be too hazardous. Moodajee Boosla, the Chief of Berar, answers to this Description. His Family has always borne a considerable Rank among the Powers of India. His Father, Ragoojee, subjected the Provinces of Bengal to the Chout, under the Government of the most able Chief that ever ruled them. His elder Brother, Jannoagee, attacked and burnt the City of Poona at a Time when the Power of the Peshwa far exceeded its present State, and the Maratta Constitution respecting Berar was undivided. His Dominions extend from the Sea Coast of Orissa, and from the Western Borders of Bengal, to the Neighbourhood of Aurengabad. His Revenues, though not proportionate to their Magnitude, is * considerable, and his standing Forces are numerous, exclusive of the Militia; which, in all the Maratta States, is always ready to join the regular Armies when they take the Field. While the Contest prevailed between Ragonaut Row and the Ministerial Party, Moodajee sided with the former, his Brother with the latter. This Conduct drew on him the Resentment of the Ministers, who, as soon as they were freed, by the Interposition of this Government, from the Dread of their great Competitor, encouraged and supported the Nabob Nizam Ally Cawn, in an Invasion of his Country, which at that Time had not yet recovered from the Distractions occasioned by the Contention between the Two Brothers. On this Occasion he was glad to purchase a Peace of Nizam Ally Cawn, with the Loss of some Forts of Consequence, the Remembrance of which he still retains, with a Determination to avail himself of the First Opportunity to reclaim them. * Sic in Orig.

“ As the Provinces which are now united under the Government of Berar are a constitutional Part of the Maratta Empire, a natural Enmity must ever subsist between them who possess the Sovereign Authority, and the Rulers of Berar; the former looking to the Recovery of their unalienable Rights, the latter jealous of their Independency. Thus Moodajee may be considered as the certain Enemy of the Peshwa, into whatever Hands the fluctuating State of the Parties at Poona may throw his Administration. But a late Event has given Moodajee Pretensions to a Rank even more elevated than that of the Peshwa. I need not inform the Board, that the Power which the Peshwa possessed for about Forty Years past; is an Usurpation on the Sovereign Authority vested by the Constitution in the Raja. Raja Sâboo, the last who retained it, having no Children, adopted Moodajee Boosla, and, as I am informed, designed him for his Successor. But Ballajee, the Peshwa or Prime Minister, had the Art to deprive Moodajee of the Benefit of this Intention, and to transfer the Inheritance to Ram Raja, who was also an adopted Son of Rajo Sâboo, and an Infant at his Death. Ragoojee, the Father of Moodajee, instantly marched to Poona with a formidable Army, and by a Negotiation of a Day, obtained, for the Surrender of his Son's actual Pretensions, a large Accession of Territory and other Advantages, still reserving a future Claim to the Rajaship, and refusing to commit himself by any formal Deed in an Acknowledgement of the Title of Ram Raja. From that Time the Grandeur of his Family may be dated. Ragoojee continued to authenticate all his public Acts by the Name of Sâboo Raja; and on the Seals which have been affixed to all the Letters which I have received from Shabajee Boosla, and even since his Death from his Brother Moodajee, they are stiled the Vassals of Sahoo Raja. I know not with Certainty what are Moodajee's present Views. Ram Raja died in December last, and the Succession is either still vacant or but lately filled. Moodajee's Rights are still in force, and unquestionably superior to any other.

“ I must suspend the Thread of this Narrative to relate a Transaction which brings it nearer to the Concerns of this Government. An Alliance with the Boosla Family has been long its Object,

and considerable Advances were made to the Attainment of it in the Administration of Lord Clive. In the latter End of the Year 1773, Shabajee Boosla sent a Vakeel to me with Letters containing general Professions of Attachment, but expressed with such Warmth as induced me to aim at a formal Connection with him. Finding the Vakeel an intelligent Man, I sent him back with a Plan for that Purpose. Unfortunately Shabajee fell by the Hands of his Brother. But Moodajee himself soon after adopting his Brother's Line, again deputed the same Vakeel to Calcutta; but many Causes, which it is unnecessary to enumerate, prevented me from improving the Disposition of this Chief. A constant Intercourse of Letters, and in some Degree confidential, has been kept up between us. On a false Rumour of the Death of Ram Raja, foreseeing the Use which might be made of this new Diversion in the Maratta Policy, I employed the Agency of the Vakeel to excite the Ambition of Moodajee to aspire to the Sovereign Authority, which such an Event, then probable at least from the infirm state of the Raja, and the Distractions at Poona, seemed to present to him; and I intimated the same Advice in a Letter which I wrote at the same Time to Dewargur Pundit, the Minister of Moodajee Boosla, and the Man whose Counsels have long guided the Affairs of that Government. While these Letters were on their Way, the Raja died: No Answers were given, for the Purport required none, but every Letter since received from Moodajee and his Dewan has repeatedly and urgently pressed the Dismission of the Vakeel, for the Purpose, as expressed, of communicating with him on Affairs of the greatest Importance. The Vakeel is at this Time with Colonel Leslie.

"From these Facts it will appear, that Moodajee Boosla is by Interest and Inclination likely to join in an Alliance with this Government, and that Two Advantages may be offered to him as the Inducements to it. The First is the Support of his Pretensions to the Sovereign Power; the Second, the Recovery of the Captures made on his Dominions by Nizam Ally. On our Parts we shall possess a powerful Barrier on our Frontier; an Alliance which may counterbalance, and if properly managed, may totally overthrow the present Power of the Maratta State, and give us a lasting Ascendant in its Operations, and for ever dissipate all the Designs which the French have at this Time so wisely, and hitherto successfully, concerted for their Aggrandizement and our Destruction. A more fortunate Concurrence of Events could scarcely have been conceived, than those which appear of themselves to draw the Two States of Berar and Bengal into a decided and lasting Union by the powerful Bonds of common Interest and common Danger. The Poona Government is the natural Enemy of Moodajee. It is ours by their Connection with our natural and declared Enemy, the French. Nizam Ally is the declared Enemy of both, and the Contiguity of our respective Territories, in the wildest and least valuable Parts of both, and of Course the least subject to Competition and Incroachment, renders them important and essential to the Strength of both.

"On these Grounds I recommend that a Company's civil Servant be deputed to Moodajee Boosla, with full Power to form a Treaty of Alliance between that Chief and the Company, on the Terms herein above stated. These may be hereafter detailed in his Instructions.

§ (The Governor General*.—"It was my Intention, had the Time permitted it, to have extended the above Minute into other Details, immediately required for the internal Defence of these Provinces. I can now only state those which are most urgent in short Propositions. The Reasons, if necessary, may be given separately.

"1st. I propose that three additional Battalions of Sepoys be immediately formed upon the Plan recommended by General Stibbert.")

☞ ["2dly. That Rajah Cheit Sing be required in Form to contribute his Share of the Burthen of the present War, by consenting to the Establishment of Three regular Battalions of Sepoys, to be raised and maintained at his Expence.]

§ ("3dly. That the Militia Corps be re-established for the Defence of the City of Calcutta; and for this Purpose, if it shall be found necessary hereafter, I would further recommend, that the Commissioner of Law Suits, with the Assistance of the Company's Attorney and Standing Council, be instructed to prepare a Bill for its legal Incorporation.

"4thly. That the Master Attendant be directed to consult some of the most able Seamen of this Port, upon the Means of forming such an Addition to our Marine Establishment, as may be most effectual for the Communication of immediate Intelligence of the Approach of an Enemy's Fleet, or single Ships of War, and for cutting away the Buoys, and using such other Precautions as may be necessary for guarding this Port and its Commerce against the Effects of a Surprise.

"5thly. That the Opinion of the Chief Engineer be also taken with respect to the other Means which may be necessary to prevent or impede the Progress of an Enemy by the Entrance of the River.

"6thly. That the Commander in Chief be requested to furnish the Board with such a general Plan of Defence as he shall judge necessary, in Addition to the present Disposition of our Army, and in the Supposition that the Detachment now employed under Colonel Leslie may not return for a Length of Time into the Provinces, and to attend the Board with it when prepared.

* The Parts inclosed thus § () § and marked with inverted Commas at the Beginning of each Line, are the Extracts particularly referred to in this Consultation by the Counsel for the Defendant, and the same Mark will be made use of, for the same Purpose in future.

" 7thly. The Proposition with which I shall now conclude, I offer with much Diffidence and Hesitation. It has been the constant Subject of my Thoughts since our last Meeting, and; though I now incline to recommend it, I see the Objections to it in so strong a Light, as added perhaps to those which may be suggested by other Members of the Board, may induce me to change it; but I will briefly state it. The War having been notified to us, though not by Authority, yet confirmed by Evidence of such Strength as to amount to a Degree of Certainty next to absolute, shall we proceed upon it as upon the Grounds of a War declared and notified in all its Forms? Or shall we wait the Confirmation of it, which it is probable we may not receive for this Month or Six Weeks yet to come? The Consequence of our Determination on this Question, if in the Affirmative, will be instantly to detach a Military Force to guard the Approaches of Chandernagore, to demand the Surrender of that Town, and to appoint Commissaries to take Possession of the public Stores, Shipping, and private Effects of the Inhabitants. This combined Question I propose for the Determination of the Board.

" The First Question being considered, is agreed to.")

" Ordered, That the Secretary to the Military Department do prepare and lay before the Board an Estimate of the Expence of the above Augmentation, and of that which will arise from the Increase of Men to the present Establishment lately ordered in the Military Department.

" The Second Question considered.

" Mr. Francis.—On the Supposition that the Detachment now employed under Colonel Leslie will not return for a Length of Time into the Provinces, I acquiesce in the Proposal relative to Raja Cheit Sing; but I think he should be informed that this additional Charge will not be imposed on him beyond the Continuance of the present War.

" The Governor General.—The Qualification proposed by Mr. Francis is consonant to my Intention in the Question, and is implied in it. I should have no Objection to it's being expressed in an additional Clause.

" That our Resolution upon this Subject may be unanimous, I agreed to add to the Question the following Words, "and to be disbanded at the End of the War;" but perceiving that the Difference in our Opinion upon the Subject arises not from a Disagreement respecting the Requisition simply considered by itself, but from a different Understanding of the Right of the Company to exact, under any Pressure of Affairs, more than the Sum stipulated by the Sunnud granted to Cheyt Sing, and the Cubbooleat given by him in return, I must adhere to the Question as it stands, wishing to avoid the Question of Right. If, however, we cannot agree upon the Point, still I would wish to have the Requisition made in the Words of the Question, and leave the Decision of future Right to our Superiors.

" Mr. Wheler.—Wishing to avoid the Question of Right, I acquiesce in the Motion; but I think it should be qualified in the Manner proposed by Mr. Francis.

" Mr. Barwell.—An Acquisition of Revenue and Military Force I suppose to have been annexed to the Grant of the Zemindarry of Benares and Gauzipore to the Company. Any military Establishment, independent of the English Administration, in the Heart of the Company's Dominions, may in the Time of Danger be turned against those Interests which, under another Policy, it would protect. I have long regarded the Military Establishment of Benares under the Rajah's native Officers, and not subject to the Discipline, Command, and Regulation of our own Battalions, as a Defect; I therefore most heartily agree to the present Proposal, for Three disciplined Battalions to be kept up, and paid by the Rajah, and sincerely hope the Company will direct, that the whole Force of Benares and Gauzipoor, under the Zemindar, be placed upon the same Footing as the regular Military Force of the Presidency.

" The Governor General.—I agree to the Question in the original Form of it, deeming it a Right inherent in every Government to impose such Assessments as it judges expedient for the common Service and Protection of all its Subjects, and we are not precluded from it by any Agreement subsisting between the Raja and this Government:

" Resolved, That Rajah Cheit Sing be required in Form to contribute his Share of the Burthen of the present War, by the Establishment of Three regular Battalions of Sepoys, to be raised and maintained at his Expence, and the Governor General is to write to him to that Effect.]

" The Board agree to the Third Question.

" To the Fourth Agreed.

" Agreed to the Fifth.

" To the Sixth agreed. The following Letter is accordingly written to the Commander in Chief.

" To Brigadier General Stibbert, Commander in Chief, &c. &c. &c.

" Sir,

" Having received Intelligence, which we deem certain, that War has been declared between France and England, we think it proper to take the earliest Means to provide for the Safety and Defence of these Provinces. We have already agreed to raise and form Three additional Battalions of Sepoys upon the Plan recommended by you. We propose that Raja Cheit Sing should be required to entertain Three regular Battalions at his Expence, for his Part of the Burthen of the War,

§
Three additional Battalions.

Rajah Cheit Sing to raise Three Battalions.

Militia established.
Marine additional.
Engineer to be consulted.

To the Commander in Chief.

War, and we shall immediately give Orders for re-establishing the Militia Corps for the Defence of the City of Calcutta.

" We have thought it necessary to acquaint you with the Preliminaries, and we now request that you will furnish us with such a general Plan of Defence as you shall judge adviseable, in Addition to the present Disposition of our Army, and on the Supposition that the Detachment now employed under Colonel Leslie will not return for a Length of Time into the Provinces. When the same shall be compleated, you will be pleased to notify it to us, that we may appoint a Day for your Attendance with it in Council.

" Fort William, 9th July 1778.

We are, &c."

Chandernagore to be seized.

" The Seventh Question is resolved in the Affirmative : And

" Agreed, That Lieutenant Colonel Dow the Commanding Officer at Burruchpoor, be immediately ordered to station Guards or Detachments of Sepoys on the Road leading to Chandernagore, with Orders to prevent the Transportation of any Goods or Effects from thence, and that he demand of Mr. Chevalier, the Commandant of Chandernagore, the Surrender of the Town, Shipping, Stores, and all other Effects, both public and private, into his Hands.

" Resolved, That the Quarter Master General be directed to furnish Lieutenant Colonel Dow immediately such Boats as he may require by Indent for this Service.

Mr. Leonard Collings to be appointed Commissary.

" Resolved also, That Mr. Leonard Collings be appointed Commissary to receive all such Goods and Effects belonging to the French at Chandernagore as Lieutenant Colonel Dow shall consign to his Charge, and that he be directed to form an Inventory of the Whole, as soon as possible, and transmit a Copy thereof to the Board.

" Agreed, That Mr. Collings be permitted to take with him any Writer in the Company's Service, who may, at this Time, be unemployed, if he should require a Person to assist him.

" Resolved, That the following Instructions be immediately issued to Lieutenant Colonel Dow.

" To Lieutenant Colonel Alexander Dow, commanding the Troops at Burruckpore.

" Sir,

" In consequence of a Declaration of War, which has been made between France and England, in London on the 18th March, and in Paris on the 30th March 1777, We do hereby order and command you immediately to station Guards or Detachments of Sepoys on the Roads leading to Chandernagore, with Orders to prevent the Transportation of any Goods or Effects from thence, and to demand from Mr. Chevalier, the Commandant at Chandernagore, the Surrender of the Town, Shipping, Stores, and all other Effects, both public and private, into your Hands. You will permit the Commandant, and such of the Inhabitants as will pass their Parole, to remain in quiet Possession of their Houses, and make Prisoners of them who shall refuse or evade it.

" In case of a Refusal to surrender the Town, Shipping, and Effects, as demanded, you will take Possession immediately by Force.

" You will be furnished with an Order to the Quarter Master General to supply you immediately with such Boats as you may require from him by Indent, for crossing the Troops over the River, for taking Possession of the Ships, and such other Services as may demand the Employment of Boats for the Execution of these Orders.

" As it is not likely, from the defenceless State of Chandernagore, that any Opposition should be attempted, we recommend it to you to shew all possible Lenity and Tendernefs to the Inhabitants in the Execution of these Orders, which however must be executed without any Delay or Reservation for further Instructions.

" We have appointed Mr. Leonard Collings, a Commissary, to take Charge of the Stores and Effects which may be delivered up to you. We therefore desire that you will cause them to be made over to him.

" Fort William, 9th July 1778.

We are, &c."

" Agreed, That Captain Robinson of the Star Armed Vessel do immediately proceed down the River, to seize all the French Vessels and Pilots which he may be able to find, and bring them to Calcutta.

" The following Letter is therefore written to him by the Secretary.

" To Captain Robinson, Commander of the Morning Star.

Order to Captain Robinson to seize the French Pilots.

" Sir,

" You are hereby directed to proceed down the River with this Tide, to seize all the French Pilot Vessels and Pilots which you may be able to find, and bring them up to Calcutta. A Pilot will be immediately sent on board you by the Master Attendant, who will furnish you with Orders to him, to point out to you such Pilot Vessels as may be in the Service of the French Nation.

" In the Execution of this Service the utmost Secrecy is to be observed.

" Council Chamber, 9th July 1778.

I am, &c."

" Ordered, That the Master Attendant do immediately send a Pilot on board the Morning Star; that he deliver sealed Instructions into the Hands of Captain Robinson, to convey the Ship down

down the River, and to point out all the Pilot Sloops or Vessels belonging to the French, that he may see or be able to get Intelligence of in the River.

" Resolved, That Orders be immediately dispatched to the Provincial Councils of Patna, Moorshedabad and Dacca, to take Possession of the French Factories at those Places, with all the Property belonging to that Nation, and to attach the Persons of all the Subjects of the French Nation who shall refuse to pass their Parole.

" The following Circular Letter is accordingly written to Patna.

" Gentlemen,

" In consequence of a Declaration of War which was made by the Court of Great Britain against France, on the 18th March last, and by France against England, on the 30th of the same Month, we do hereby order and command you to send a Military Force to the French Factory, to demand of the Chief the Surrender thereof, with all Stores and other Effects, both public and private, into your Hands. Such of the Inhabitants as will pass their Parole may be permitted to remain in quiet Possession of their Houses; but all the Subjects of France, either within the French Factory, or in other Places within the Limits of your Authority, who shall refuse or evade to give their Parole, are to be seized and made Prisoners.

" In case of a Refusal to deliver up the Factory, &c. as demanded, you will immediately take Possession by Force.

" You will cause an Inventory to be made of all the Effects which shall be delivered up, and transmit a Copy of the same to us, taking proper Care to preserve them untouched.

" Fort William, 9th July, 1778.

We are, &c."

" The same to Dacca and Cossimbuzar.

" Resolved, That the following Orders be immediately issued to the Commanding Officers of Berhampore and Dinapore:

" To the Commanding Officer at Burhampore.

" Sir,

" You are hereby commanded to pay immediate Obedience to such Orders as you shall herewith receive from the Chief and Council at Moorshedabad.

" Fort William, 9th July, 1778.

We are, &c."

" The same to the Commanding Officer at Dinapore, to obey the Orders received from Patna.

" There being no Brigade Sepoys at Dacca, an Order to the Commanding Officer of the Militia Corps stationed there, similar to the above, as that Corps is immediately under the Direction of the Provincial Council.

" Resolved, That the following Letter be written to the Dutch and Danish Settlements, and that they be transmitted to Lieutenant Colonel Dow, to be forwarded by him whenever he shall think proper:

" To the Director and Council at Houghly.

" Gentlemen,

" We have received Intelligence too well authenticated to doubt its Veracity, that War was declared by the Court of Great Britain against France on the 18th of March last, and by the Court of France against Great Britain on the 30th of the same Month. We have therefore thought it incumbent on us to take Possession of the Town of Chandernagore, and to attach all the French Property which shall be found in these Provinces; but as we think it probable that Endeavours will be used by the French to cover their Property under the Marks of Dutch or Danish Colours, to remove with it into the Limits of the Territories of those Nations, we expect, from the Friendship subsisting between your Nation and our's, that you will take effectual Means to discourage and prevent the Success of any Attempts of that Nature.

" Fort William, 7th July, 1778.

We are, &c.

" The same to Fredricknagore.

" Warren Hastings,
Richard Barwell,
P. Francis,
Edward Wheler."

The Managers for the Commons being asked, if they could produce the Instruments which passed on the Occasion referred to in the Evidence given Yesterday*; viz. the Sunnud, Potta, Coulnama, and Caboolat, acquainted the House that they could not; but wished the House to observe, that when the Governor General moved the Propositions read Yesterday, they were declared to be without Encroachment of the Rights of the Rajah,

To the Officers commanding at Dinapore and Berhampore.

* Vide Extract of Consultation, 4th Sept. 1778.

† Vide supra,
P. 37.

Rajah, and that they had read the Deeds and Instruments which passed between Shujah ul Dowlah and the Rajah, from the Consultation of the 4th of October 1773, given in Evidence on Tuesday †. However, with respect to the Sunnud, they believed they could make it out thus: That upon the 15th of April 1776, a Sunnud was prepared to be given to the Rajah Cheyt Sing: That that Sunnud was signed by the Board, but the Rajah refused to accept it on Account of a Clause contained in it, declaring all former Sunnuds to be null and void: That in consequence of this Refusal, the Board ordered a new Sunnud to be prepared, omitting the Clause to which the Rajah objected: That this new Sunnud did not appear; but that it seemed to be a fair Inference, that the Sunnud sent up the second Time, was the same as the former Sunnud rejected by the Rajah, omitting the objectionable Clauses; and therefore they would now read that Sunnud.

The Witness produced Book 50, intituled, "Bengal Secret Council, 4th March to 16th May 1776."

Read, the following Extracts from Bengal Secret Consultations, 15th April 1776.

Secret Dep.
Monday.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

" Fort William, the 15th April 1776.

" The Secretary having prepared the Sunnud and Potta for Rajah Cheyt Sing's Zemindarry, now begs Leave to lay them before the Board, with a Copy of an Obligation to be executed by him for the Remittance of his Tribute.

" The Board having signed the former;

" Ordered, That they be transmitted to him, and Translations of all of them entered in their Place.

" Translation of the Sunnud granted to Rajah Cheit Sing, for the Zemindarry of Gauzipore, &c.

" Be it known to the Mutstudies in Office, present and to come, Canongoes Mukudums, Riotts Cultivators, to all the Inhabitants and People resident, and belonging to Circar Benaris, Gazy-pore, and Chunar, in the Soubah of Allahabad, that, Whereas by virtue of a Treaty with the Nabob Asoph ul Dowla, concluded on the 20th of Rubby ul Awal 1189 Hejiree, or 21st May 1775, the Government and Sovereignty of the Circars abovementioned has been ceded to the Honourable East India Company, from the 4th of Jummasly ul Awal 1189 Hejiree, or 4th July 1775. The said East India Company therefore, in virtue of the Rights thereby obtained, do confirm unto Rajah Cheit Sing, the Zemindary, Aumeeny, and Fonjedarry, of the said Sircars, agreeably to the Zemmin, together with the Cutwallies of Juanpoor and Benares, and the Mint of Benares, from the said Date; whatever Gold and Silver shall be coined in the Mint, the said Rajah shall coin in conformity to his Muchulka. He is not to be, in the smallest Particular, remiss in the Observation and Execution of the several Duties incumbent on him; he is to behave with Moderation and Kindness to the Riotts and People, to promote the Cultivation and Increase of Inhabitants, and Produce of the Lands, expelling Thieves, nightly Assaulters and Robbers, and so effectually punishing the Disturbers of the Peace, that no Trace of them may be seen; and he is to pay a Tribute of 23,40,249 Benares Mucklidar Rupees, or 22,66,180 Calcutta Siccas, annually to the Company's Treasury. Should he receive Orders to pay the above Revenue at Benares, he shall, in that Case, pay the Sum of 23,40,249 Benares Mucklidar Rupees, each Rupee to weigh 10 Massa, and to contain two Ruttie, and two Chowl of Alloy, and no more. Should the Weight be less, or Alloy more, he shall make up the Deficiency. Whenever the Money shall not be wanted at Benares, he is to remit the annual Amount of 23,66,180 Sicca Rupees punctually, agreeably to his Kists, and *Muchulka**, by Monthly Payments at Calcutta. In Consideration of which, he shall be allowed a Deduction of Two per Cent. amounting in all to Sicca Rupees 44,434 : 14 : 5 Account Hindowany, or Exchange, which being deducted, the net Amount is 22,21,745 : 5 : 7 Sicca Rupees of Calcutta, which he is to pay at that Place. After the Settlements of Accounts at the End of the Year, he shall, in the customary Manner, receive Credit for his Payments; and he is by no means to collect the prohibited Abwaub of the Durgah of his Majesty. This Sunnud being granted, is to remain in Force, and all former Sunnuds to become null and void. You the Mutluddies, and Persons above-mentioned, are to regard the said Rajah as truly and lawfully possessed of the Zemindarry, Aumeeny, and Fonjedarry of the above Sircars; and to acknowledge his Authority in the several Acts appertaining thereunto. Know that we have here issued the most strict and positive Commands, and obey them accordingly.

* " This Word
afterwards or-
dered to be
struck out."

" Written on the 25th of Suffer, 17 Sun, or 15th April 1776.

(Signed) by the Governor General and Council.

" The

" The Zimmeen.

" The Office of the Zemindarry of Sircar Benares, Gauzipore, Chundara, the Cutwally, the Duties, and the Mint in the Soubah of Allahabad, have been conferred upon the great Chief Rajah Cheit Sing Behadre, also the Aumeeny and Foujedary.

" Mohals 19, viz.

- " Sircar Benares.
- " Chundara.
- " Sircar Gauzipore.
- " Mohals of Jaunpore, comprehending Maul and Duties.
- " Havily Mah^d abad Benares.
- " The Caus Daums, or for supplying Clothing to the King.
- " Pergunnah Bhadurry.
- " The Talook of Sukramow in Chundara.
- " Suktufgur.
- " Bidjeypore.
- " Sekunderpore.
- " Khireed Shadyabad.
- " Tuppa Serringa.
- " The Cutwally and Duties of Benares, Free:
- " Ditto Ditto of Jaunpore, Ditto.
- " The Mohal of the Mint of Benares, Ditto.
- " The Benares Mukceemi, or Brokerage.
- " The Sungurzenne, or Stone Weighing of Benares, and the other Mohals.
- " The Yantefauly, or Office of Muttuffaub of Benares.

" Copy of a Potta granted to Cheit Sing.

" This Potta, containing the underwritten Stipulations, is granted unto Rajah Cheit Sing Behadre. Sircar Benares, Gazypore, Chunar, and the Mohals of Sircar of Jaunpore, comprehending the Maul and Duties, Havily Mahomed Abad Benares, the Khaus Daums in Pergunna Bhadurry, Talook of Sunkeramow in Pergunna. Chunara, Suktisgurra, Bejeepore, Sircar Gauzipore, Pergunnah Sekunderpore, Kheireed, Shadyabaud, Putna, Sirrungen, including the Cutwally Duties of Jaunpore and Benares, the Mint of Benares, the Mookeymee, Yahtifaul, and Stone Weighing, both Maul and Duties, and the Dewanny Duffoor, excepting the Nancar of Half the Jaghier of Bhadurry, the exempted Jaghiers and Ayma which have been inserted for a length of Time in the Accounts as Deductions; all the Articles of the Tahud are settled upon you from the 4th of Jamaudy ul Awil 1189 Hejree, or the 4th of July 1775 English, at a Stipulation per Annum of 2,40,249 Mucklidar Benares Rupees, not short of the Weight of Ten Massa each, and not containing a greater Portion of Alloy than Two Rutties, and Two Beringee, agreeably to your Mutchulka and Cabooleat. This Sum you will therefore pay, but should it not suit the Conveniency of the Company to receive it at Benares, you are to pay it in Calcutta in Sicca Rupees of Calcutta, amounting in which Specie to 22,66,180 Sicca Rupees, the Amount of Hindosaun, or Exchange allowed you, at the Rate of Two per Cent. is Rupees 44,434 : 14 : 5 which being deducted, the Net Sum will be 22,21,745 : 1 : 15 Sicca Rupees of Calcutta. This you are to pay, without the least Deduction or Depreciation whatever, in the Course of each Year, by Monthly Payments, agreeably to your separate Kistbundee. This you are to pay without any Allowance for Seebundey. You will remit the Money to Calcutta without fail conformably to the said Kistbundee.

" Particulars of the Tribute, (viz.)

" Former Cabooleat,	-	20,86,607
" Deduct—Nancar.	-	9,800
" Exempted Lands.	-	8,000
" Moaffy Fourth Part and Siry Sicca.	-	2,358
" One Half Jaghier of Bhadurry.	-	67,500
" Altumgaw of Mussaummut	}	500
" Muraud Barnoo.		
		<hr/> 88,158
		<hr/> 19,98,449
" Add—Nuzzeranna.	-	90,000
" Tuppa.	-	34,207 12
" Mukceeme, &c.	-	1,800
		<hr/> 1,26,007 12
" Encrease—Total	-	250,000
" Deduct	-	34,207 12
		<hr/> 2,15,792 4
Carry over,	" Benares Rupees,	<hr/> 23,40,249

Brought over, —	" Benares Rupees,	23,40,249
" Batta to reduce them into Siccas		74,069
		<hr/>
	" Remains, Sicca Rupees	22,66,180
	" Deduct Hindooaum	44,434 : 14 : 5
		<hr/>
	" Remains net Amount in Siccas	22,21,745 : 1 : 15
		<hr/>
" Written on the 26th of Sept 17th Year, or 15th April 1776.		
Warren Hastings.		
J. Clavering.		
R ^d Barwell.		
P. Francis."		

The Managers for the Commons stated, that they would next proceed to shew the Objections made to this Sunnud and Potta, by the Rajah Cheit Sing, as contained in a Letter from Mr. Fowke, the Resident at Benares, dated 17th July 1776, and the Proceedings of the Council thereupon.

The Witness produced Book 52, intituled, " Bengal Secret Consultations, 1st July to 30th September 1776."

Read, the following Extracts from Bengal Secret Consultations, 29th July 1776.

" Fort William, the 29th of July 1776.

Secret Dep.
Monday.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President.

Lieutenant General John Clavering.

Richard Barwell,

Philip Francis,

} Esquires.

The Honourable George Monson, indisposed.

" Honourable Sir, and Sirs,

" I am honoured with the Receipt of your Commands, dated 24th June, directing the Erasure of the Word "*Muchulka*," in the Sunnud and Potta which accompanied Mr. Auriol's Letter of the 26th April. I have, in Consequence, acquainted the Rajah with your Orders upon this Subject, and have called upon him to receive the new Sunnud and Potta, and to execute his Caboleat. He has declined the Acceptance of the Sunnud and Potta, for which he assigns these Reasons; that any Erasure in a Sunnud or Public Deed is totally unprecedented in the Usages of this Country; that the Clause in the Sunnud by which the former Sunnuds are declared to be null, is likewise contrary to Custom and Practice; and further, that in the above Clause, the Word "*Sunnud*" being used in the plural Number, the Coulnama, which he received with the former Sunnud and Pottah, is thereby likewise rendered void and of no Effect. The Rajah objects to the Execution of the Caboleat on Account of the Clause it contains, by which the former Sunnuds are annulled. He declares himself ready to return the old Sunnud and Pottah upon Receipt of the new ones; and has requested that a Representation of the above Circumstances may be made to your Honourable Board.

" Benares,
17th July 1776.

" I am, &c. &c.

" (Signed) Francis Fowke."

" Ordered, That the Secretary prepare a new Sunnud and Pottah, omitting the Word "*Muchulka*," and the Sentence declaring the former Sunnuds to be null, and that these be transmitted to Mr. Fowke, with Directions to receive back the temporary Pottah and Grant which were first allowed him."

" Resolved, That the following Letter be written to Mr. Fowke.

" Sir,

" We have received your Letters of the 15th and 17th inst.

" In Compliance with the Request of Rajah Cheit Sing, we have ordered the Sunnud and Pottah for his Zemindarry to be made out anew, with the Omissions which he has solicited, and we shall retain these Grants to be exchanged for the Caboleat to be executed on his Part, which his Vackeel has promised to obtain from him.

" You will receive back from the Rajah the temporary Grants which you delivered to him on your Arrival at Benares, and return them to us, or let him do it through his Vackeel; the Sunnud and Pottah, formerly sent you by the Secretary, you will also transmit to us.

[At the End of the Letter]

" We are, &c. &c."

The Managers for the Commons being asked, if they had any Evidence to shew whether the First Sunnud was returned, according to the Order of the 29th July 1776, just read; and also, whether the Second Sunnud was ever executed, acquainted the House that they had laid before them all they knew, or could find upon the Subject. That they would now return to the Evidence they were about to give when the above Enquiry after the Sunnuds, &c. was made, namely, to shew that the Demand of Three Battalions from the Rajah Cheyt Sing, proposed by Mr. Hastings in the Consultation of the 9th July 1778*, was converted into a Demand of Five Lacks of Rupees.

* Vide supra, Page 66.

The Witnesses produced Book 14, intituled, "Bengal Secret Consultations, 17th August 1778, to 25th January 1779."

Read, the following Extract from Bengal Secret Consultation 17th August 1778, from Page 12, same Book.

"Fort William, the 17th August 1778.

"At a Council; Present,

The Honourable Warren Hastings, Governor General, President,

Richard Barwell,
Philip Francis, } Esquires.
Edward Wheler,

"The Governor General delivers in the following Minute.

"The Governor General lays before the Board the following Letter from Rajah Cheit Sing, and informs the Board, that having called upon Ally Nucky, the Rajah's Vackeel, for an Explanation of his Master's further Sentiments upon the Subject of it: he received the following Answer from the Vackeel, being the Substance of a long Conversation, viz. That his Master was, at all Times, ready to pay Obedience to the Commands of the Board, and to afford every Proof of his Attachment to the Company; and that the Rajah had authorized him to declare his Acquiescence in the Requisition of a Subsidy, equal to the Expence of Three Battalions of Sepoys for the Service of the War.

The Governor General's Minute on Rajah Cheyt Sing's Acquiescence to defray the Expence of Three Battalions of Sepoys.

"The Vackeel contended much for fixing the Sum of the Subsidy at Three Lacks of Rupees. The Governor told him, it could not be less than Five, and received his Consent, in his Master's Name, and in virtue of the Authority which he derived from the Rajah, to the Payment of that Sum for one Year; his Authority extending no further.

"The Governor General is of Opinion, that as the Rajah's Consent has been expressed with such a Limitation, and eluded in his written Answers, the Payment of the Subsidy ought not to be left subject to the Contingencies which the Course of the Year may produce, but immediately demanded. He computes, that the Amount of Three Battalions of Sepoys on double Batta, exclusive of Tents, Arms, and contingent Charges, will amount to Rupees 4,76,000.

"On these Grounds he moves, that the Subsidy to be paid by Rajah Cheit Sing, for the Maintenance of Three Battalions of Sepoys during the Course of the War, be fixed at the annual Sum of Five Lacks of Muchledar Rupees; and that he be immediately required to pay that Sum into the Hands of the Resident Mr. Thomas Graham.

"(Signed) Warren Hastings."

"Mr. Francis.—I acquiesce, tho', in my own Opinion, it would answer as well to us, and be less distressing to the Rajah, if the Subsidy were added, in equal Proportions, to the Monthly Gifts of the Tribute.

"(Signed) Philip Francis.

"I agree. (Signed) Richard Barwell.

"Agreed. (Signed) Edward Wheler."

"From Maha Rajah Cheit Sing, received 30th July.

"I have been honoured by the Receipt of your gracious Letter, communicating the Intelligence of a War having broke out between the Courts of Great Britain and France, and desiring me to take on myself a Share of the Burden of Expence. My Patron, I am the Servant of the Sircar. I will write you more fully hereafter. On all Occasions, I am hopeful of your Highness's Favour and Support.

"Resolved, That the following Letter be written to Mr. Graham, and that Notice of the Board's Resolution be given to the Persian Translator, that a Letter be accordingly prepared to be sent to Rajah Cheit Sing."

"Sir,

"Thinking it necessary that Rajah Cheit Sing should be required to contribute his Share to support the Burthen of the present War with France; we resolved that Three Battalions of Sepoys should be raised and maintained at his Expence; and the Rajah, in Answer to a Letter which the

To Mr. Graham.

T

Governor

Governor General wrote to him on the Occasion, having, by Means of his Vackeel, agreed to pay a Subsidy of Five Lacks of Muchlidar Rupees for one Year, but not authorized his Vackeel to extend his Acquiescence further. We deem it necessary, and have accordingly ordered that the Rajah shall immediately pay this Sum into your Hands; you will therefore receive the same from him, and remit the Amount of it to the Presidency.

" We are, &c."

Notice being taken that the Evidence, as to the Change of the Demand from Troops to a Sum of Five Lacks of Rupees, was, as far as appeared at present, incomplete, in as much as it was not distinctly shewn from whom, or how that Change originated; the Managers for the Commons were asked, " Whether they had any Evidence of the Change of the Proposition made for a Supply of Three Battalions of Troops to that of a Sum of Money, beyond what appears in the Minute delivered in by the Governor General on the 17th of August 1778?"

The Managers for the Commons made Answer, That no other Evidence appeared. But as it was a Matter sufficiently notorious that the Governor General is the Person who officially communicates, on the Part of the Company, with the Vackeels of all the foreign Princes, they conceived it to originate from the Conversation which the Governor General, in the abovementioned Minute of the 17th of August 1778, states to have passed with the Vackeel of the Rajah.

To prove the Demand of the Five Lacks made upon the Rajah; the Request of the Rajah to pay them by Instalments, and that upon the Proceedings in consequence of that Request, one of the Council dissented materially upon the Question of Right;

The Witness was directed to produce Book 21, intituled, " Bengal Council, 2d September to 22d October 1778."

Read, the following Extracts (beginning at Page 362, of the same Book) from Bengal Secret Consultation of the 28th of September 1778.

" Fort William, 28th September 1778.

Public Dep.
Monday.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell,
Philip Francis, } Esquires.
Edward Wheler, }

" Read the following Letter from Mr. Graham, Resident at Benares:

" I think it necessary to inform you, that notwithstanding Seventeen Days are elapsed since your Orders arrived here, directing the Rajah to pay into my Hands the Subsidy he had agreed to pay of Five Lacks of Muchlidar Rupees, he has not yet paid me One Rupee, and offers as a Reason his Inability to discharge the Whole at once, and requests me to receive it by monthly Payments. Your Honourable Board's Orders authorizing nothing of the Kind, I have acquainted him that it is impossible for me to come into his Request, and have repeated my Requisition, which I have indeed been urging every Day since the Receipt of your Orders, to pay me the whole Amount as speedily as possible.

" I have the Honour to be, with the highest Respect,
Honourable Sir and Sirs, &c.

" Benares, the 14th Sept. 1778.

(Signed) THOMAS GRAHAM, Resident."

[" The Governor General lays before the Board the following Letter from Rajah Cheyte Sing :

" From Raja Cheyte Sing, 28th Sept.

Rajah Cheyte
Sing.

" I have been honoured with your gracious Letter, desiring that I will, as a Subject of the Company, take on myself the Payment of Five Lacks of Muchledar Rupees, as my Proportion of the Expences of the present War, and pay them to Mr. Graham. Although I have no Ability left, and the great Burthen of Expence I laboured under from the Time of the Decease of the late Raja, till the Expiration of the Nabob Vizier's Authority over me, is well known to God and your Excellency, yet, solely with a View to Compliance with your Orders, and to prove my Fidelity, having sold and pledged every Thing belonging to me, I will make good the aforesaid in Instalments in Six or Seven Months, although by parting with my Effects, which are clearly necessary, I am left in a

State of Inability for the future; yet you will shew me much Favour that I shall again recover myself.

"As a Time is required for the Sale of my Effects, and raising the Money, I hope, from your Kindness, that the Officers of Government may take from me, in different Payments, the said Sum in Sonant Specie, as I shall not be able to procure this Sum in Muchledar Rupees; and that you will be graciously pleased to affix your Signature to my Requests, that I may apply myself with Satisfaction and Assiduity to the Business of the Sirkar."

"Governor General.—The Substance of this Letter, and the Requisition made by the Rajah to Mr. Graham, differ so much from the cheerful and ready Acquiescence with * the Rajah's Vakeel, Shaick Ally Nucky, made in his Master's Name to the Demand made on him for this Subsidy, that I think it necessary, for my own Justification, to call upon the Secretary to certify the Accuracy of my Minute delivered on the 17th August, containing the Assent expressed by the Vakeel, in his Master's Name, to the Payment of the Subsidy.

* See in Orig.

"The Secretary acquaints the Board, that the Governor General delivered to him the Minute above mentioned, previous to his laying it before the Board, with Orders to explain the Contents of it to the Rajah's Vakeel, that it might correspond with the Acquiescence which he had delivered; he accordingly communicated the Minute to the Vakeel, and received from him a Confirmation of the Terms therein expressed.

"The Governor General moves, That Orders be written immediately to Mr. Graham, that he do, on Receipt of them, demand of the Rajah in Person, the Payment of the entire Sum of Five Lacks of Rupees in the Space of Five Days, and declare to him in the Name of this Board, that his Refusal or Neglect to complete the Payment within that Time, shall be deemed equivalent to an absolute Refusal, and that he be forbidden, in that Case, to hold any farther Intercourse with the Rajah until he shall have advised us of the Particulars of the Raja's Conduct in this Instance; and receive our Orders in Consequence.

"Mr. Francis.—I beg leave to ask, Whether there be any Letter from the Raja himself to the Governor, in which his Consent to pay the Five Lacks, in the Manner agreed to by the Vakeel, is expressed, or the Vakeel's Engagement to that Effect confirmed.

"Governor General.—All the Rajah's Letters will be found in the Book of Persian Correspondence, to which I refer; but I well recollect that the Assent given by the Vakeel was expressed in Terms the most peremptory that could be conceived, either confirmed by an Oath, or his own Life pledged for the Performance of it. My Minute was drawn up from Heads of what passed in Conversation with the Vakeel, and when it was explained to him by Mr. Auriol, he was very desirous of correcting a Part of it, which made the Acquiescence of the Rajah appear too general, and that it might be specifically limited to One Year; his Powers, he added, extended no further. The Correction was accordingly made upon the Spot in the Room adjoining to this, and the Minute immediately recorded. I desire the Secretary to mention whether this agrees with his Recollection of the Matter.

"The Secretary very well recollects the particular Circumstances alluded to by the Governor General, and therefore offers his Testimony, that the Vakeel declared he was authorised to acquiesce in the Subsidy for One Year, but no longer, and desired that the Requisition might be limited to that Time.

"The Minute was before indefinite.

"Mr. Francis.—I have no Sort of Doubt of the Reality of the Engagements made by the Vakeel; the Question is whether they are Acts of the Rajah, or made by sufficient Authority from him. If the Vakeel had even a Letter of Credence relative to the Point in Question, it would be sufficient. If he had, it must appear on the Persian Correspondence, and I desire the Secretary will read it.

"Governor General.—I have looked over the Book of Correspondence. There are but Two Letters upon the Subject. The First, a Letter recorded in Consultation the 17th of August, acknowledging the Receipt of mine, which contained the first Requisition of the Five Lacks, and promising an Answer. The Letter recorded on this Day appears to be that Answer, as it begins with an Acknowledgment of the first Letter, and a short Recapitulation of its Substance. My first Letter was written on the 11th July, Two Months and Seventeen Days from this Date. If an Answer from the Vakeel, during so long an Interval, was not to be deemed authentic, the Rajah's Silence was more disrespectful than a direct Refusal; but if it be admitted as an Exculpation, his surest Remedy against any Act of Government will be a Refusal to make any Reply to its Demands. I will not conceal from the Board, that I have expected this evasive Conduct in the Rajah, having been some Time past well informed, that he had been advised in this Manner to procrastinate the Payments of the Five Lacks, to afford Time for the Arrival of Dispatches from England, which were to bring Orders for a total Change in this Government; and this, he was given to expect, would produce a Repeal of the Demand made upon him by the present Government. On intimating my Suspicions of such a Design to the Vakeel, he promised he would write in so effectual a Manner to his Master, as should, without Fail, induce him to make an immediate Payment of the Subsidy. He, this Morning, informed me, that his Letter was dispatched on the 12th of this Month; its Effect ought by this Time to have shewn itself. Sufficient Time will have been given to the Rajah to obey the Authority of the Board by the Arrival of the Orders which I have now proposed;

proposed; and whether, in that Interval, he shall ratify the Act of his Vakeel or not, I shall consider of little Consequence. If the Board will support their own Authority, he shall be made to yield to it.

“ Mr. Francis.—There is no Question, but the Rajah must yield to the Power of this Government; and I shall be as ready as any Member of this Board, to support its Authority, as long as its Power is directed by Justice. I did from the first express a Doubt, whether we had strictly a Right to encrease our Demands upon the Rajah beyond the Terms which we originally agreed to give him, which he consented to, and which, as I have constantly understood it, were made the fundamental Tenure, by which he held his Zemindary. If such Demands can be encreased upon him at the Discretion of the superior Power, he has no Rights; he has no Property; or, at least, he has no Security for either. Instead of Five Lacks, let us demand Fifty; and whether he refuses, or is unable to pay the Money, the Forfeiture of his Zemindary may be the immediate Consequence of it, unless he can find Means to redeem himself by a new Treaty. Having this Opinion of the Demand itself, as it originally stood, it cannot be deemed extraordinary in me, that I should proceed with very great Caution in enforcing any Penalties, which may be proposed to attend his not instantly complying with it. It appears that the Engagements made by the Vakeel have not been confirmed by the Rajah; and that the Vakeel had not even a Letter of Credence from his Master. I know the Temper of black Servants too well to punish their Principals for any Acts done by them, or even to hold them bound by such Acts, if not expressly or virtually confirmed by themselves. I do not mean by what I have said, that the Board should give up the Demand, which they have already thought fit to make of the Rajah. That Resolution being passed, it only remains for us to take Care that it should be carried into Execution without Harshness or Violence. The Rajah must pay the Money if he has it; but I cannot conceive, why we should insist on his paying it all at once. We do not instantly want it; and it may distress him in the greatest Degree to part with such a Sum at a single Payment. My Opinion is therefore, that the Liquidation of the present extraordinary Demand upon him should be settled by Kistbundy; and that he should be assured at the same Time, that this Board will not make any further Demands upon him. Under such a Settlement, unanimously agreed to, it is not likely that the Rajah will delay or evade a due and regular Execution of it, from any Hopes he may conceive of future Relief by a Change in this Government.

“ The Governor General.—The very Demand is itself a Proof that the Rajah expects such Relief; and with Respect to his Ability to pay the Sum so long demanded from him, or even Ten Times that Amount, I speak within Compass, no Man can doubt of it. The Acts of the Majority of the Board are the Acts of the Board. When the Person who is the immediate Object of them stands so high in the Public Estimation, and holds Pretensions, as it appears this Rajah does, to a Sovereign and Independant Authority, such Acts once past ought never to be revoked: The Demand made upon the Rajah was for immediate Payment, the Demand ought to be supported rigidly; but I will so far yield to the Necessity of the Times, weakening as it may prove to the Powers of this Government, at a Crisis, which of all others demand their most vigorous Exertion, as to consent to a Compromise. The Rajah has requested, that he may be allowed to pay the Sum required of him by Instalments, within the Space of Six or Seven Months; I will consent to pardon his past Contumacy and Disobedience, on Condition of his consenting to pay the entire Sum within Three Months, which Time will have elapsed before the Orders now sent to Mr. Graham can take Effect, although not a Rupee shall have been received, to that Period, of the Payments which, by his own Proposal, ought to be half completed. I desire that what I have said may not be misunderstood. I mean only to shew, that instead of the Harshness and Rigour which have been imputed to this Government in its present Conduct to the Rajah, he has been treated with a Lenity almost equal to the Substance of his own Demands. I think it unnecessary to reply farther to Mr. Francis's Minute, as I desire only to obtain his Consent to a Measure upon his own Principles, which I understand to be, that a public Measure, nay, even an Opinion of Government once passed, ought to be invariably supported, even by those who opposed it in the first Instance.

“ Mr. Francis.—It is generally true that a Resolution of Government once passed should be supported; but, where the Rights of others are concerned, it is only true with this Proviso, that such Resolutions are not directly contradictory to the Principles of Justice, or to the voluntary and fundamental Engagements of the Government itself. This Board was already bound to the Rajah by certain Acts of their own, not carried by a Majority, but unanimously agreed to. I desire that they may be recorded in this Place, as I find them stated in our Instructions to Mr. Fowke.

“ Mr. Fowke, of the 24th August 1775:

4. “ It will be proper to assure the Rajah, that we do not mean to increase his Tribute, but “ to require from him the exact Sum, and in the same Species of Rupees, to be paid at Benares, “ as he paid to the late Vizier Sujah Dowlah, besides whatever Equivalent may be fixed for the “ Grant of the Mint and Cutwally to him; the Whole to be discharged by equal monthly Kists; “ and if we should find it expedient hereafter to receive the Amount at the Presidency, a suitable

"able Deduction, or Commission; shall be allowed to him for the Expence and Risk of transporting or remitting it.

"5th. That under the acknowledged Sovereignty of the Company, we are determined to leave him the free and uncontrouled Management of the internal Government of his Country, and the Collection and Regulation of the Revenues, so long as he adheres to the Terms of his Engagements, and will never demand any Augmentation of the annual Tribute which may be fixed."

"If the Opinions of the individual Members, who then composed the Board, should be looked back to, I believe it will appear that the Amount of the Tribute was fixed at a higher Sum than the Governor General then thought the Rajah ought to pay. This, however, is immaterial; I only mean to shew that I adhere to my Principles, and that the Doubts which I have constantly expressed of the Justice of encreasing our Demands upon the Rajah, which, if done at all, may be done *ad libitum*, were not ill founded.

"Governor General.—I must object to the Term "unanimous," applied to any Resolution passed at the Period to which Mr. Francis alludes, merely because my Dissent was not expressed to it. The Quotation from Mr. Fowke's Instructions related only to the fixed and annual Revenue, but could never be understood to preclude that Right which every Government inherently possesses to compel all its Dependencies to contribute, by extraordinary Supplies, to the Relief of extraordinary Emergencies; but though it were granted that this Injunction given to Mr. Fowke did extend to every Mode of Supply, still the Argument will not apply to the present Question. The present Demand for the Subsidy, just or unjust, was made unanimously, and therefore, even on that Ground alone, ought to be unanimously supported.

"Mr. Francis.—Understanding that the instant Payment of the Five Lacks is still to be demanded in the Terms of the First Proposition, and that no Relaxation from these Terms was intended, I am against the Motion.

"Mr. Wheler.—I am for the Question; but am further of Opinion, that it should be left to Mr. Graham to determine whether to enforce Payment of the Sum required of the Rajah for the present Exigencies of Government by one Payment, or whether to receive it by different Installments, not exceeding Three Months from the First Payment to the Completion of the Whole.

"Mr. Barwell.—The Facts that have been related to the Board by the Governor General, speak the absolute Necessity of the Motion that has been agitated. In these Sentiments it is incumbent on me to support it; and I think, that, in Order to its full Efficacy, the Governor General should be empowered to pursue such Means as may secure the Government from a Possibility of a further Disappointment.

"Governor General.—I cannot consent to the Qualification of the present Motion, recommended by Mr. Wheler, for the Reasons I have already assigned. With respect to the Proposition implied in Mr. Barwell's Minute, I shall take an early Occasion to offer my Sentiments upon it, desiring the Subject to rest here for the present.

"Mr. Francis.—If Mr. Barwell, in his Minute, means to give the Governor General, by his Voice, any Powers whatsoever, independent or exclusive of the Board, I must request he will be pleased to explain himself. I am sure that no such Powers can be wanted on the present Occasion.

"Governor General.—I beg that the Debate; which is now unnecessary, may end. The Morning has already been lost in Words. As nothing more is proposed to be done, I hope it is unnecessary that more of our Time should be consumed in ineffectual Debates, even without a professed Object.

"Agreed that the following Letter be written to Mr. Graham:

"Sir,

"We have received your Letters of the 15th July, 9th August, and 14th instant.

"We cannot consent to the Request of Rajah Cheyte Sing, to be allowed to pay the Amount of his Subsidy, for the Expence of the present War for one Year, by monthly Kists. Our Orders communicated to him by the Governor General for the immediate Payment were positive; we therefore confirm those Orders, and direct that on Receipt hereof you wait on the Rajah forthwith, and demand of him, in Person and by Writing, the Payment of the full Sum of Five Lacks of Muchlidar Rupees, the Sum at which the Subsidy is fixed, in Specie to that Amount, to be made to you within Five Days of such Demand; and declare to him in the Name of this Government, that his evading or neglecting to accomplish the Payment thereof within that Space, shall be deemed equivalent to an absolute Refusal; and in Case of his Noncompliance with your Demand, we peremptorily enjoin you to refrain from all further Intercourse with him, until you shall have advised us of the Particulars of his Conduct in this Instance, and received our further Orders on the Subject.

"We are, &c.

"Fort William,
the 28th September 1778.

Warren Hastings,
Richard Barwell,
Philip Francis,
Edward Wheler."}]

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To

To prove Payment of the Five Lacks of Rupees by the Rajah Cheyt Sing, and an Acknowledgement of the Receipt thereof;

Read, Extract from Bengal Secret Consultation of the 12th October 1778, beginning at Page 567 of the same Book.

" Fort William, 12th October 1778.

" At a Council, Present,
The Honourable Warren Hastings, Governor General, President.
Philip Francis, } Esquires.
Edward Wheler, }
Mr. Barwell indisposed.

" The Secretary lays before the Board the following Note from the Governor General:

" Sir,

" I herewith send you Four Bills of Exchange, this Instant delivered to me by Shekh Ally Vuckee, the Vackeel of Rajah Cheit Sing, being for Four Lacks and a Half of Rupees, which, with Fifty thousand Rupees paid to Mr. Graham, complete the Sum of Five Lacks required of the Regah for the extraordinary Expences of this Year.

" Saturday Morning,
10th October 1778.

I am, &c.

(Signed) Warren Hastings."

" Ordered, That the Bills be sent to the Treasury, and that the following Letter be written to Mr. Graham:

" Sir,

To Mr.
Graham.

" Rajah Cheit Sing has, by Means of his Vakeel, remitted Bills of Exchange to us for the Sum of Four Lacks and Fifty thousand Rupees, which, with the Amount paid into your Hands, will complete the Subsidy of Five Lacks, required as his Proportion of the Burthen of the War with France for the present Year: We therefore direct, that you refrain from the Execution of the Orders contained in our last Letter.

" We are, &c.

" Fort William,
the 12th October 1778.

Warren Hastings.
P. Francis.
Edward Wheler."

To shew what the Governor General's Opinion was of the State of the Bengal Treasury at the Period above mentioned, the Witness was directed to produce Book 13, intituled, " Bengal Secret Consultations, from 1st June to 10th August 1778."

Read, the following Extracts from Bengal Secret Consultation, 10th August 1778, beginning at Page 695 of the said Book *.

" Fort William, the 10th August 1778.

" At a Council, Present,
The Honourable Warren Hastings, Governor General, President.
Philip Francis, } Esquires.
Edward Wheler, }
Mr. Barwell indisposed.

" The Proceedings of the 6th instant read and approved. Mr. Barwell having sent in the following Minute to the Secretary, it was circulated agreeably to his Desire.

Mr. Barwell's
Minute on the
Resources of
Bengal.

" Mr. Barwell.—In considering the present State of the Treasury, a comprehensive View is doubtless proposed of the actual existing Riches of the State to be commanded to any immediate Exigency of Government, and not depending on Events, or a Revenue, the Receipt of which may be rendered precarious by the Approach of a foreign Enemy.—To effect this, it will be necessary to state in Account the real unappropriated Treasure, this Instant in our Possession: By unappropriated Treasure, I mean all Sums of Money, whether in the Treasury of Calcutta, or elsewhere, not subject to the current Disbursements of Government, and totally distinct from the Annual Revenue, which I shall regard as appropriated to Civil and Military Purposes, and to Remittances to Bombay and China: And to obviate Doubts as to the Sufficiency of this Allotment, I have annexed official Estimates of the Receipts at the Presidency for the Four ensuing Months of August, September, October, and November. All possible internal

* The Passages marked with this Bracket [, and the Hand pointing to it, infra Page 82—3, are the Passages in this Consultation which were at first particularly referred to by the Managers for the Commons; but Notice being taken that it was necessary the Whole of the Estimate should be stated, the Managers for the Commons said they delivered in the Whole as Evidence.

Demands thus shewn to be provided for, we hold at this Instant the following Sums in round Numbers.

" Balances of Calcutta Treasury,	—	—	—	54,00,000
Balance in the Hands of the Paymasters, &c. Military, stated by the	—	—	—	
Paymaster General,	—	—	—	23,00,000
Deduct for all possible Disbursements since the Board's Call for a State	—	—	—	7,00,000
of their Balances	—	—	—	—
				16,00,000
Cash in the Hands of the President of Oude ordered to the Prefi-				
dency, the Receipt of this Sum cannot be doubted, as it is en-				
tirely unappropriated to any Civil or Military Expence	—	—	—	32,00,000
Computed Batta or Affay, at least	—	—	—	3,20,000
				35,20,000
Total Amount of Government's unapplied Cash	—	—	—	1,05,20,000
" The reduced State of the Treasury, therefore, is merely ideal, and the Government is only in				
such Degree poor, as the Treasure existing has been less concentrated. I am against the Loan."				

" ACCOUNT KISTBUNDEE of the Provincial Councils for Four Months.

	Bandun.	Affin.	Cawtick.	Augm.	TOTAL.
Burdwan	2,75,577 — — —	4,45,017 — — —	4,15,042 — — —	10,37,567 — — —	25,73,203 — — —
Calcutta	5,24,751 8 — —	2,75,218 — — —	1,68,734 6 — —	5,93,858 8 3 1	15,62,562 6 3 1
Chittagong	73,630 4 5 —	73,650 4 5 —	73,701 4 5 —	90,044 4 3 —	3,11,026 — 18 —
Dacca	3,35,042 — — —	2,54,597 — — —	2,68,245 — — —	4,41,021 — — —	12,98,905 — — —
Dinagpoor	6,05,089 15 3 2	2,74,966 4 12 1	1,50,719 15 2 2	6,21,443 1 16 3	16,52,219 4 15 —
Moorshedabad	5,01,210 4 — —	2,51,667 — — —	1,59,690 10 — —	7,56,443 14 — —	16,69,011 12 — —
Rajemchal	17,712 4 — —	10,093 6 8 —	3,369 12 — —	24,006 4 — —	50,981 10 8 —
Boglepore	— — —	14,875 — 2 —	18,610 — — —	27,718 — — —	61,303 — 2 —
Subah Behar	— — —	2,05,903 15 — —	2,61,311 4 — —	4,18,687 5 — —	8,85,902 8 — —
Bamghur	2,401 — — —	4,601 — — —	4,700 — — —	5,400 — — —	17,102 — — —
Tipperah	10,000 — — —	10,000 — — —	10,000 — — —	18,000 — — —	48,000 — — —
Rupees	23,40,414 3 8 2	18,20,588 14 7 4	15,34,124 3 7 2	40,34,989 5 3 —	97,30,116 10 6 1

at Fort William, the 25th July, 1778.

Errors excepted.
(Signed) CHARLES CROFTES,
Accountant General to the Revenue Department."

“ An ACCOUNT Charges, Civil, Military, and Advances for Investments, for Four Months.

	Civil Charges for Baudun to Augun, inclusive.	Military Charges for Baudun to Augun, inclusive.	Investment for Baudun to Augun, inclusive.	T O T A L.
Burdwan	3,22,272 — —	— —	— —	3,22,272 — —
Calcutta	1,68,284 — —	— —	— —	1,68,284 — —
Chittagong	66,748 — —	61,266 — —	45,700 — —	1,73,714 — —
Dacca	1,29,128 — —	20,000 — —	3,51,515 — —	5,00,643 — —
Dinagapore	1,37,868 — —	41,000 — —	2,02,741 — —	3,81,609 — —
Moorthedabad	14,34,936 — —	4,82,619 — —	2,00,000 — —	21,17,555 — —
Rajmehal and Boglepore	1,07,272 — —	10,000 — —	14,127 — —	1,31,399 — —
Subah Behar	1,27,832 — —	4,19,216 — —	3,64,587 — —	9,11,635 — —
Ramghur	10,040 — —	— —	— —	10,040 — —
Rupees	25,04,380 — —	10,34,101 — —	11,78,670 — —	47,17,151 — —

“ Fort William, the 25th July, 1778.

Errors excepted.

CHARLES CROFTS,

Accountant to the Revenue Department.”

" Total of the Kistbundee for 4 Months, or from Aug. to Dec. 1777	—	—	—	—	Rup ^r 97,30,116 10 6 1
Deduct Total of Charges Civil and Military, and advance account Investment	—	—	—	—	47,17,151 — — —
				Overplus Rupees	— 50,12,965 10 6 1
Add Receipts from Cheit Sing					
4 M ^{os} , at 1,85,145, 6, 9 per M ^o , is S ^r R ^r				7,40,581 11	
D ^r , Board of Customs, estimated at what was received from thence in the 4 Months of last Year				3,50,000	
D ^r , Sea Customs, D ^r	—	—		60,000	
				11,50,581 11	
Sicca Rupees	—	—		61,63,547 5 6 1	
P ^r Cur ^t Rupees	—	—		71,49,714 14 5 Piece.	

Fort William, the 25th July 1778.

Errors excepted.

Charles Croftes,
Accomp^t Gen^l to the Rev. Dep^t."

" The Governor General having also sent in the following Minute, it was circulated.

" Mr. Francis has assigned Two distinct Motives for his Proposal of opening the Company's Treasury for a Loan of 50 Lacks of Current Rupees, at an Interest of 5 per Cent. First, to secure a Provision against a Deficiency in our ordinary Supplies. Secondly, to afford a Relief to the wealthy Inhabitants, who, for the Want of such a Security for their Specie, might be induced to secrete it.

" The other Reasons enumerated by Mr. Francis depending on these, I shall not separately examine them.

" In the first Place, it appears to me that Mr. Francis has been misled in his Computation of our actual Means, by forming it entirely in the Amount in our Treasuries at the Presidency, without taking any Notice of the Balances in the Provincial Treasuries, and in the other Departments, in which they constitute, or at least ought to constitute, as much a Part of our present Assets, as if they were all deposited in the principal Treasuries. But this Error has been so ably rectified by Mr. Barwell, that it is unnecessary for me to add any Thing to his Observations. I shall take up the Subject in another Point of Light, and in that in which alone it can, according to my Conception of it, be regularly viewed, or indeed without involving it in infinite Intricacy, as the Debate upon the Means of the actual Hour must be continually varying, and the Conclusions upon it, even while they are forming, falsified by the Difference between the real and estimated Amount of each Day's Receipts and Disbursements.

" I shall therefore consider the Subject in its Relation not to a partial Period, but to the whole Year, and shew that instead of the Deficiency which Mr. Francis apprehends, we shall have a large Supply of Cash at the End of it, and that therefore any Addition made to it by a Loan, will not only subject the Company to an unnecessary Loss of 2½ Lacks of Rupees, but lock up the greater Part of the Amount from Circulation, into which it would probably be thrown by the usual Means employed by Individuals of employing their Money to Advantage.

✍️ [" I have annexed to this Minute, a Copy of the Estimate formed by our Accomptant of the probable Receipts and Disbursements for the whole Year. Having carefully examined the several Articles on each Side of the Account, I see no Cause to doubt the Accuracy of any of them. But as several Orders have lately been passed which will produce a considerable Addition to the Expences of the Year, exclusive of those stated in the Estimate, I shall state those in gross Sums, estimated beyond my Belief of their probable Amount, which, deducted from the Balance of the Estimate, will shew the probable Sum in advance at the End of the Year.

" I shall first insert the Balance of the annexed Estimate, being the supposed Sum which will remain after deducting all the probable Disbursements from our expected Resources on the 30th April 1779, ————— } 2,35,60,000

1. Extraordinary Disbursements not provided for by the Estimate.					
2. Six Battalions of Sepoys,	—	—	—	Lacks	10
3. Resolution and Charlotte	—	—	—	—	5
4. Marine	—	—	—	—	5
5. Victualling Stores	—	—	—	—	2
6. Stores of the Works	—	—	—	—	2½
7. Native Artillery	—	—	—	—	1½
8. Additional Militia Sepoys	—	—	—	—	1½
9. Other Contingencies	—	—	—	—	2½
				30,00,000	

Corrected Balance on the 30th April 1779 —————

2,05,60,000

" It

" It is my Belief that the real Expences will not exceed One Half of the Sum at which I have estimated them, for the Period of Time for which they are calculated: but even if they be taken much higher the expected Balance will be at least Two Crores of Rupees, a Sum excluding every Idea of Distress, and of the consequent Necessity of borrowing Money to relieve it.]

" I now come to the last Argument, namely, the Relief which it will afford to wealthy Individuals, who might otherwise be induced to secrete their Wealth. To this I reply, that the Company's Treasury is always open for Deposits, and there is no Doubt that those who would wish to avail themselves of such a Security for their Property, would not wait for the Profit of 5 per Cent. as an Inducement, if their only Alternative was to entrust it to the Faith and Custody of Government, without Interest, or to secrete it, and conceal it with equal Loss of Interest; for if they have other Means of employing their Money with an Interest or any other Advantage on it, this, as I have before observed, would be an Objection to the Receipt of it in the Company's Treasury, as it would then be dead, instead of being profitably given to Circulation.

" But in discussing this last Motive, it may be proper to attend to a Point on which I am not sufficiently well informed. It should first be known, whether the Native Merchants are desirous themselves of lending Money to the Company on the Conditions proposed by Mr. Francis. In my Opinion, the Proposition should come from them; if precipitately from us, it would probably, at this Time, occasion an Alarm, or convey an Impression unfavourable to our Credit.

W. H."

" D' Abstract of an Estimate of the probable Resources, and to balance.

Cash remaining in the following Departments on 30th April 1778.

General Department.			
Civil,	-	-	1,14,20,000
Military, by Estimate,	-	-	20,00,000
Marine,	-	-	60,000
			<u>1,34,80,000</u>
Revenue Department	-	S' R'	50,00,000
		Batta, 16 per Cent.	8,00,000
			<u>58,00,000</u>
Commercial Department,	-	-	21,00,000
			<u>2,13,80,000</u>

To Receipts expected in 1778-9.

General Department.			
Civil.			
Draughts on Europe,	-	10,00,000	
Calcutta Customs,	-	3,30,000	
Mint Duties,	-	50,000	
Post Office Collections,	-	50,000	
Rajah Cheit Sing's Tribute,	-	25,70,000	
		<u>40,00,000</u>	
Military.			
Army Subsidy,	-	34,60,000	
Marine.			
Sales of Naval Stores,	-	30,000	
		<u>74,90,000</u>	
Revenue Department.			
Receipts of Revenue as in 1777-8,	-	2,44,00,000	
Batta, 16 per Cent.	-	39,04,000	
		<u>2,83,04,000</u>	
Commercial Department.			
Import Sales,	-	18,50,000	
Export Sales,	-	60,000	
Ophium,	-	9,00,000	
Sat Committee	-	27,70,000	
		<u>55,80,000</u>	
Nabob Asfoph ul Dowlah.—Balance due from him 30th April 1778,	-	-	4,13,74,000
			<u>26,70,000</u>

Current Rupees, 6,54,24,000

Fort William, August 1778.

Errors excepted.

(Signed)

W^m L A R K I N S,
Accountant General."

“ Disbursements of the Bengal Government from 1st May, 1778, to 30th April, 1779. C

By Disbursements expected in 1778-9.

General Department.

Civil Charges as in 1777-8, 28,00,000

Military.

Paymasters to the Army, 85,00,000
Military Stores, 4,00,000
Garrison Provisions, 2,00,000
Fortifications and Buildings, 9,00,000

1,00,00,000

Marine.

5,00,000

1,33,00,000

Revenue Department.

Disbursements as in 1777-8.

Charges, 46,45,000
Stipends and Allowances, 19,75,000
Salt, 4,60,000
Opium, 6,00,000
Salt Petre, 20,000

S^r R^r

77,00,000

Batta, 16 per Cent.

12,32,000

89,32,000

Lord Clive's Jaghire,

2,60,000

Commission on the Revenues.

Two Years will be due,

1,98,000

93,90,000

Commercial Department.

Suppose,

1,40,00,000

3,66,90,000

Extraordinary Disbursements which may take place in 1778-9.

Account Deposits, 8,10,000
Mayor's Court, D^r, 1,58,000
Commission due to General Coote, 40,000
Bonded Debt, 4,00,000

14,08,000

Supplies to other Presidencies.

Bombay, 15,00,000
Canton, 10,00,000
Madras, 10,00,000
Bencoolen, 2,50,000
St. Helena, 10,000

37,60,000

By Balance unappropriated,

4,18,58,000

2,35,66,000

Current Rupees, 6,54,24,000

" Mr. Francis replies to the above Minute as follows :

" Mr. Francis.—The Considerations which led me to think, that, in our present Circumstances, a Loan of Forty or Fifty Lack might be an advisable Measure, and to recommend it to the Board as a Question worthy at least of their Deliberation, were founded on Two Data, which I conceived were not disputed.

" The first is a matter of Fact, capable of immediate Proof ;—the second is a Supposition, so far admitted by the Board, that it has already been the Ground of several important Resolutions.

" It is a Fact, for which I appeal to the State of the Treasury, signed by Mr. Crofts, that we have this Day no more than Current Rupees 37,15,131, applicable to the Company's Service, in which Sum is included 2,99,199 in Bullion uncoined, and 4,84,726 in Paper Security.

" The whole Balance in the Treasury is	—	—	—	—	50,09,314 : 2
" Deduct the Deposits	—	—	—	—	12,94,183
" Remains	—	—	—	—	37,15,131 : 2

" Instead of this Sum, the Balance is stated by Mr. Barwell to be 54,00,000. He also states the Balances in the Hands of the Paymasters at 16,00,000, calculated, as I presume, from the Balance which was in their Hands at the End of April. By a Computation, with which the Paymaster General has this Day furnished me, it appears that the Balances, which they will have at the End of this Month, will not exceed Current Rupees 5,37,702.

" When Mr. Middleton's Remittance shall arrive, Credit may be taken for it in the State of the Treasury. In the mean time it is so much Bullion uncoined, the Produce of which cannot be ascertained, nor do I suppose that any Part of it will be coined these Six Months. The Supposition to which I have alluded is, that Bengal will be invaded. On this Principle we have augmented our Army; on this Principle we ought to provide such Resources for supporting a War as cannot be affected by the Events of the War itself. I was not unacquainted with the general State of our Revenues, or the Resources which we might reasonably depend on in a Time of Peace and Tranquility, though my Reliance on Estimates is by no Means implicit. But the Case of an Invasion of this Country supposes a very different State of Things; and for my own Part, I have no Doubt it would be followed by a general Failure in the Collections.—I would not trust the Defence of Bengal, on which the Existence of the East India Company, and I fear, the public Credit of the Nation, may, at this Time depend, to any Resources which we absolutely have not in our Possession, especially when Security may be purchased at an Expence so very trifling, that, in my Judgment, it does not deserve a Moment's Consideration.—The Money to be borrowed would not be taken out of Circulation, though it should lie untouched in our Treasury; because, in the Case supposed, it would assuredly be buried, or otherwise secreted by the Owners. Neither do I admit that in any Case Money borrowed by Government is a Loss to Circulation, since their Bonds represent and perform the Office of Specie, to the Amount of the Sum borrowed, and even with greater Convenience than the Specie itself. I do not know what the Governor alludes to, when he denies that a Loan would be any Relief to the Natives, as if I had recommended it on that Ground, or for that Purpose. My Object is directly the Security of the Government, and collaterally to insure to us, in all Events, the Attachment of so many wealthy Individuals. They will not offer their Money to us for nothing. For a moderate Interest they probably will. If not, it is a Sign our Credit is not very good at present. In Time of actual Distress the Measure will be impracticable.

" P. F."

" Mr. Barwell and the Governor General enter their Replies to the foregoing Minute, as follows :

" Mr. Barwell.—In considering Mr. Francis's Question, Whether, in our present Circumstances, a Loan of Forty or Fifty Lack might be an advisable Measure, I confine myself to Facts, which, in my Judgment, appear ample and conclusive. I did not think it necessary to state, with the Correctness of an Accomptant, the actual Wealth existing, independent of the current Revenue and Balance of the Provincial Treasuries; my Argument did not require it; all I aimed to prove, and to insist upon, was, 1st. That the Rupees locked up, and which might be applied to the Exigencies of the Government without encroaching on the current Revenue, amounted to a Sum not short of a Million Sterling. The 2d Fact I insisted upon was, that the current Revenue was more than sufficient to answer the Appropriation of it to the Investment, to the Civil and Military Charges of our Government, and to the Annual Remittances to Bombay and China.

" The 2d Fact is not denied by Mr. Francis; for he has suggested, that the Receipts of the Revenue may be rendered precarious, whenever these Provinces shall be invaded by a foreign Enemy. He does not express a Doubt of our Receipts being regular and uninterrupted, until so improbable an Event shall take place. This is all I ask; and if this is granted, it follows, that the 1st Fact on which I ground my Objection to the Loan, is established beyond the Possibility of Contradiction; nor is it sufficient to oppose to it, that the Balance of the Calcutta Treasury from 54,32,808, at which it stood the 21st ultimo, as stated by Mr. Francis the 23d, has, to the 10th instant, been reduced to 50,09,314 : 2; or that by the End of this Month, or 1st September, the Balance of Sixteen Lacks, which I state against the Paymasters, &c. Military, will be reduced to

5,37,702

5,37,702, because it will instantly be replied to so partial a Representation, that the current Revenue being admitted more than sufficient for every Disbursement of Government, an equal Sum must necessarily accumulate and exist, though not immediately in Calcutta, in our other Treasuries, totally distinct from the Appropriations of the Revenue, and applicable only to extraordinary Occasions. I shall not question the Computation of the Military Paymaster General, which Mr. Francis intimates he is possessed of, because I do not know the Grounds on which it is made; and I do not conceive it of any Consequence whether the Computation is carried on, only One Month, or extended to Twelve Months, beyond the 1st instant; because, if the Members of the Board will be pleased to look into the Book lying on the Table, containing the Statements of the Provincial Treasuries, it will instantly strike their Observation, that an equal Sum for Military Charges having been regularly estimated in the probable Disbursements of each Month, from the 1st February to the 1st July, such Sums must either have been issued Account Military, or remain in the Treasuries unissued. In the First Case, it will increase the Balance in the Hands of the Paymasters; in the Second, add to the Balance in the Treasuries. The Nature of the Fact cannot be altered; and it is of little Moment to insist whether the existing Wealth is in the Hands of the Paymasters, or in our Treasuries.

The Remittances from Mr. Middleton being stated only as so much Bullion, may possibly lead the Gentlemen in the Direction to suppose it cannot be immediately applied: To obviate such an Error, it is proper they should be informed, that this Bullion is so much foreign Coin, Coin that no Individual will refuse at the Assay Valuation, with an adequate Allowance for Charges of Re-coinage. The Regulation of Government to reduce every Specie of Rupees to One Standard, it is true, carries all the foreign Coin from our Treasury to the Mint; but the Re-coinage is rather a political than an indispensable Operation; for it may be deviated from at any Time, and on any Occasion, without the least Distress or real Loss to Government. The whole Reasoning on the pictured Poverty of Government being confined to the Wealth lodged in the Treasury of Calcutta, would seem to deny the real Existence of One Half of the Amount we actually possess. The last Letter from Mr. Middleton of the 13th July, informs us, that on the 10th June the Balance of our Treasury was 36,35,497.17 : 3 Oude, or Calcutta Currency 40,35,402 : 2 : 9, that he had remitted Twenty Lacks to the Presidency.

" Though I must insist that we possess the Wealth I stated in my Minute of the 8th instant, yet it is not necessary to my Argument against the Loan.

" Our Treasury in the lower Station at the Presidency, Mr. Francis states
now at —————

" Our Treasury in the upper Station at Oude —————

The Aggregate is

50,09,314 : 2
40,35,492 : 2 : 9
90,44,806 : 4 : 9

A Sum beyond any Call that can be made on our Government, and sufficient to convince the most prepossessed, that under the present Circumstances of our Government a Loan of Forty or Fifty Lack is not an advisable Measure.

" That my Silence to the proposed Invasion of the Provinces by the French may not be construed into a tacit Acquiescence in the Probability of such a Measure, I declare I do not believe such an Invasion will be attempted; yet however improbable the Attempt, it is not impossible; and upon this Principle alone that we should be guarded against all possible Events, I have concurred in the late Military Arrangements.

" The Governor General—I agree entirely in the Opinions expressed in the preceding Minute, and think it necessary to add my particular Concurrence to the concluding Paragraph, as consonant to my repeated Declaration on Record."

To prove that the Demand of Five Lacks from Rajah Cheyt Sing was repeated in the Year 1779; the Witnesses produced Book 22, intituled, " Bengal Secret Consultations, from the 7th June to the 23d December 1779."

Read, the following Extract, from a Consultation of the 19th July 1779, beginning at Page 206 of the same Book.

[" Fort William, 19th July 1779.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President.

Richard Barwell,
Philip Francis,
Edward Wheler, } Esquires.

Lieutenant General Sir Eyre Coote indisposed.

" The Proceedings of the 8th instant read and approved.

" The Governor General delivers in the following Minute.

" Governor General.—It having been resolved in Secret Consultation, 9th July 1778, " That Rajah Cheit Sing should be required in Form to contribute his Share of the Burthen of the present War with France, by the Establishment of Three regular Battalions of Sepoys, to be raised and

and maintained at his Expence;" and the Amount of the Subsidy fixed by the Board in Consultation, of the 17th August following, and agreed by him to be paid for One Year, being Five Lacks of Mucklidar Rupees; as the Year is now expired, I move that he be at this Time required to contribute the like Sum, as his Share of the Expence of the War for the current Year.

" Agreed to the Governor General's Proposal.

" Resolved, that the following Letter be written to Mr. Graham.

To Mr.
Graham.

" Sir,

" The Period of One Year, for which Rajah Cheit Sing contributed the Sum of Five Lacks of Mucklidar Rupees, as his Proportion of the Burthen of the War with France for the last Year, being expired, and the War still continuing, we find it necessary to maintain the same Force, and to require, that the Rajah shall be at his Share of the Expence; you will therefore at this Time demand from him Payment of the above Sum, as his Proportion of the Charge for the current Year, and remit the Amount of it to us.

" Fort William, 19th July 1779.

We are, &c."]

" Agreed, that the Governor General be requested to write to Rajah Cheit Sing, acquainting him that the Period of One Year, for which he agreed to pay Five Lacks of Mucklidar Rupees, as his Share of the Burthen of the War with France on the 17th August 1778, is expired; and as the Continuation of the War makes it still necessary to maintain the same Establishment of Troops for the Defence of the Country, the Board deem it requisite that he should at this Time contribute the further Sum of Five Lacks of Mucklidar Rupees, as his Share of the Charge for the current Year; Mr. Graham has therefore been directed to apply to him for the same.

Warren Hastings.

P. Francis.

Edward Wheler."

To prove that the abovementioned Demand of 5 Lacks was modestly disputed by the Rajah; that the Right of making it was again denied by One of the Council; and that the Demand was enforced by a Military Force;

Read, the following Extracts from Bengal Secret Consultation of the 26th of August 1779, beginning Page 286 of the same Book.

Secret Dep.
Thursday.

" Fort William, 26th August 1779.

" At a Council, Present,

The Honourable Warren Hastings, Governor General, President;

Richard Barwell, } Esquires.
Philip Francis, }
Edward Wheler, }

Lieutenant General Sir Eyre Coote, K. B.

" Read and approved the Proceedings of the 16th Instant.

" Read the following Letters from Mr. Thomas Graham.

" Honourable Sir and Sirs,

" Immediately on the Receipt of your Honourable Board's Letter of the 19th ultimo, directing me to demand of Rajah Cheyt Sing Payment of the Sum of Five Lacks of Muchlidar Rupees, as his annual Proportion of the Burthen of the present War with France, I waited upon him, and at the same time that I communicated the Orders of your Honourable Board to myself, I delivered to him the Honourable the Governor General's Letter to him in Confirmation thereof. He then gave me for Answer, that he had not the Ability to discharge the Demand. As this was similar to the Answer he gave me when I demanded Payment of his Subsidy for the last Year, I did not consider it as a definitive one, and therefore continued in renewing my Demand every Second Day; finding, however, that he holds to the Terms of his first Reply, and seeing no Probability of a speedy Change in his Sentiments, I am unavoidably reduced to the Necessity of applying for your Honourable Board's further Instructions on this Head. Until they arrive, I shall follow the Orders already sent me, by repeating my Request for Payment every Second or Third Day.

" Benares,
the 16th August 1779.

" I have the Honour to be, &c.

" (Signed) Tho^d Graham, Resident."

• “ D^r Rajah Cheyt Sing in Account of Revenue with the Honourable Company. C^r

1779 August 4 th	To Account Revenue due this Day from the Rajah, being the Amount of his 1 st Kist Calcutta Sicca Rupees. 185,145 6 16 1.	1,98,431	4	12	1779. August 5	By Amount Revenue received from the Rajah, being in full of his 1 st Kist, as follows :			
					8	Received this Day -	40,000		
					13	D ^r D ^r -	45,000		
					14	D ^r D ^r -	15,000		
					15	D ^r D ^r -	21,500		
						D ^r D ^r -	76,931	4	12
	Standard Gourmah Rupees,	1,98,431	4	12		Standard Gourmah Rupees,	1,98,431	4	12

Benares, the 15th August 1779.

Errors excepted.

THOMAS GRAHAM, Resident.”

✂ “ Read a Letter from Rajah Cheyt Sing as follows :

“ From Rajah Cheyt Sing, received 27th August 1779.

“ I have been honoured with your Letter, calling on me for the Payment of Five Lacks of Rupees on Account of the Expence of the War for the present Year, and understand its Contents. Rajah Cheyt Sing.

“ My Situation is well known to you, and I assure you, without Reserve, that I have no Ability left, nor is there any Mode of Relief for me but in the Exertion of your Favour. I am fully convinced, that it is your Desire, who are my Master, to support me your Servant ; and last Year, you directed Sheik Ally Neecky, that I should by any Means, by disposing of my Effects, or by borrowing, make this one Payment, and I should not be called on in future, and that you would take every Means for my Advantage and Support.

“ I accordingly put in Practice every Method in my Power, and by Loans made good the Requisition. It is now absolutely out of my Power to raise the Sum required, and I am therefore hopeful that you will be kindly pleased to excuse me the Five Lacks now demanded, and that nothing may be demanded of me beyond the Amount expressed in the Pottah, which, through your Favour, I obtained from the Honourable English Company.

“ This Raje and Zemindary, and my Dignity, are the Gifts of your Highness. I have judged it necessary to represent to you my Inability and helpless State.”

“ Governor General.—I move that the Commander in Chief be desired to issue an Order for the March of Two Battalions of Sepoys from the nearest Station of the Army, excepting the first and temporary Brigades, to Benares, on the Requisition of Mr. Graham, and there to remain for the further Orders of the Board. That the whole Expence of this Detachment, from the Day of its March, be exacted from the Rajah of Benares. That this Resolution be communicated to him by the Governor General, and that the Resident be ordered to inform the Rajah of it, repeating his Demand for the Sum required ; and, in case of his Refusal, or Non-compliance with his Demand, to give immediate Notice to the Officer in Command of the Detachment, that he may march accordingly.

“ Sir Eyre Coote,—Agrees to the Motion ;

“ Mr. Wheler.—I am against it.

“ Mr. Francis.—I never approved of the additional Demand beyond his stipulated Tribute. I cannot therefore concur in the Measure proposed : I firmly believe it to be unnecessary, even for its avowed Purpose ; and I am very much afraid, that it will be attended with Consequences ruinous to the Rajah, and to his Country. That Country is now one of the richest Jewels we possess. The great Revenue we draw from that Country may be permanently secured under mild and equitable Treatment. Measures of a different Nature may extort more for a Moment, but they will ruin the future Resource.

“ Mr. Barwell.—It rests with the Rajah himself to discharge his Quota of the Expence of the War voluntarily, or to be compelled to it. I agree to the Motion.

“ Governor General.—Benares is not a Jewel in our Possession, if we leave the Rajah an Option to obey or disobey the Orders of his superior Government, and to maintain himself in the Independency of a tributary Prince. As to the Ruin pretended from this Order, the Terms of the Question itself put it in his Power to prevent even the Execution of the Order ; and more I shall not at this Time say upon the Subject ; I may hereafter.

" Agreed to the Governor General's Motion, and Resolved, That the Commander in Chief be requested to give Orders to Major Carnac, or the Officer in Command of his Detachment, for the March of Two Battalions of Sepoys to Benares, on the Requisition of Mr. Thomas Graham, the Resident there, and to remain at that Place for further Orders.

" Resolved, That the following Letter be written to Mr. Graham.

" Sir,

" We have received your Letter of the 16th instant, acquainting us that Rajah Cheit Sing had declined to pay the Five Lacks of Rupees, which we required of him, as his Proportion of the Expences of the War for the current Year.

" Having judged it necessary to make this Claim, which was suggested to us by the Exigency of the Case, we cannot admit of any Plea which the Rajah may urge to exempt him from it; Orders have, therefore, been sent to Major Carnac, or the Officer in Command of his Detachment, to march to Benares immediately, on your Requisition, with Two Battalions of Sepoys, and to wait our further Orders at that Place. We have thought this Step necessary, for the Purpose of compelling the Rajah to pay the Quota required of him in case of Necessity, and we direct that you repeat your Demand, and insist on his Compliance. If the Rajah should still continue to object to your Claim, and refuse Payment, you are to require the Officer in Command of the Detachment, to march immediately, in Conformity to our Orders, and advise us of your Proceedings.

" We hope, however, that you will not be reduced to proceed to this Extreme, as it would oblige us to increase our Demands on the Rajah, by exacting from him the whole Expence of the Detachment from the Day of its March, in Addition to our original Claim.

" We are, &c.

" Fort William,
the 26th August 1779.

Warren Hastings.
P. Francis.
Edw^d Wheler."]

The Managers for the Commons observed, that there appeared to be a Mistake in the Day on which the Letter from the Rajah Cheyt Sing is stated to be received, namely the 27th Aug. 1779, the Date of the Consultation in which it is entered being 26th Aug. 1779;—that possibly it ought to be 17th Aug. 1779.

Then they acquainted the House, that they had proposed in the next Place to shew the Dates of the different Payments of the last-mentioned Demand of Five Lacks of Rupees by the Rajah Cheyt Sing; but understanding the Accounts were not at Hand, they would proceed to shew the Acknowledgement of the Council that they had received this Sum.

The Witnesses produced Book 25, intituled, " Bengal Letters received from 1st Feb. 1779 to 3d March 1780."

Read, the 41st and 42d Paragraphs of a Secret General Letter from the Governor General and Council in Bengal, to the Court of Directors, dated Fort William, 14th January 1780, and received on the 28th of July 1780; beginning Page 95 of the said Book.

" Triplicate, Secret General Letter, dated 14th January, Fort William, 1780.

" To the Court of Directors.

9th July. " 41. We thought it necessary and consistent to demand a further Contribution of Five Lacks of Rupees from Rajah Cheyt Sing, for his Part of the Expences of the War for the current Year, being the same Sum as he paid towards that End for the last Year.

26th Aug.
29th Sept.
28th Oct.
1st Nov.
12th Nov. " The Rajah strongly pleaded his Inability to comply with this Demand, and even suffered us to send Two Battalions of Sepoys from Dinapore to Benares, to enforce the Payment, before he would grant it; at length, however, with much Difficulty, the Amount was received from him, added to a Penalty of 20,000 Rupees, for the Expences of the Two Battalions until their Arrival at Benares.

* Sic in Orig. " 42. We shall make but this short Observation upon the Conduct of the Rajah, That whither* it proceeded from the Apprehension of establishing a Precedent for exceeding the Sum of his annual and stipulated Revenue, or from a Sense of Independency, it was equally unreasonable, and an ungrateful Return for the Benefits which he has been allowed to derive from the Company's Protection.

" We are,

" Honourable Sirs,

" Your most faithful

" Humble Servants,

Warren Hastings.

P. Francis.

Edw^d Wheler."

" Fort William,
14th January 1780.

Then

Then the Witness produced Book 24, intituled, " No. 4, Persian Public Correspondence, Letters received from the 1st January to the 31st December 1779."

Read, Two Letters, one from the Rajah Chite Sing to Mr. Graham, received on 20th September 1779; the other, from the Rajah to the Governor General, inclosed in the foregoing.

" From Rajah Chite Sing to Mr. Graham, 20th September 79.

" I received your Letter about the Five Lacks of Rupees, and understand the Contents. I have before made known to you my distressed Situation that I have not Power to comply, and I have also sent an Arzie in Answer to the Letter from the Prefence which you delivered to me. I have no Power to comply; I discharge the Revenue according to the Pottah granted by the Sirkar. I am hopeful that this Order may be revoked, for which Purpose I have also written an Arzie to the Prefence, and request that you will oblige me by dispatching it without Delay."

" Enclosure in the foregoing.

" From Rajah Chite Sing to the Governor General.

" Every Two or Three Days am I called upon to pay Five Lacks of Rupees. Your gracious Letter, on this Subject, honoured me by its Arrival. I have dispatched an Arzie in Answer, which will have been presented to you. In Obedience to your Order, I last Year, by every Means, and borrowing from all Quarters, raised the Sum, and at that Time you promised that it should not happen again. I have it not in my Power at present. You have before honoured me with the Title of Son, and regarding me as your Son you have protected me. I am therefore hopeful that I may be excused from this Requisition."

The Managers for the Commons being asked, What was the Date of the Letter from the Rajah Cheyt Sing to the Governor General, acquainted the House, That the Persian Letters have no Date.

The Managers for the Commons stated, they would next proceed to read the Answers to the foregoing Letters.

The Witness produced Book 23, intituled, " Secret Department, Persian Correspondence, Letters written from the 1st January to the 31st December 1779."

Read, a Letter from the Governor General to Rajah Chite Sing, dated September 25, 1779, beginning at Page 42, of the said Book.

" To Rajah Chite Sing.

" Written 25th September 1779.

" I have received your Letter, from the Contents of which, as well as from the Letters of Mr. Graham, and the Copy of a Letter which you wrote to that Gentleman, and which he transmitted for my Inspection, it appears but too clearly, that instead of a cheerful Compliance with the Requisition of this Government, in the immediate Payment of the Sum of Five Lacks of Rupees as your Share of the Expence of the War for the present Year, a Requisition which the great Burden of Expence under which the Company labour for the Defence of the Country renders necessary, and to which you, as a Subject of theirs, are bound to contribute, have thought proper, under the Plea of Inability, which is well known to be futile, to endeavour to amuse the Resident with vague and distant Promises, meaning probably to protract, if not entirely evade, Payment of the Sum required of you. In a Letter which I lately wrote you, I informed you, in express Terms, that this Government neither could or would recede from so reasonable a Demand, and added, that in case of no Compliance on your Part, Mr. Graham was authorized to summon a Detachment of our Forces to enforce our Orders if it should be found necessary. This, I hoped, would have opened * Eyes, and induced you to relinquish a Conduct which must, if pursued, bring the greatest Disadvantages on you; but since even this Intimation of our Determination has proved ineffectual, I now think it necessary to inform you, that we have desired the Commander in Chief to dispatch Major Carnac with the Detachment under his Command to Benares, there to wait our further Orders; he will accordingly begin his March immediately, unless the Resident, in the mean Time, from the actual Receipt of the Subsidy, shall inform him that it is unnecessary for him to proceed further; and you will be pleased to observe, that should you force us to a Measure so contrary to our Wishes, the whole Expence of the Detachment, from the Time of its March, will be required from you, exclusive of the Subsidy for the War."

* Sic in Orig.

Notice being taken by the House, that the Answer just read from the Governor General to the Letter of the Rajah Cheyt Sing, referred to a Letter from Mr. Graham, the Resident at Benares, inclosing the said Letter of the Rajah to the Governor General; and the House being desirous to know what was the Date of Mr. Graham's Letter so referred to, the Managers for the Commons acquainted the House, that they

they had not Mr. Graham's Letter at Hand, and hoped the House would not be surprised, if, in so voluminous a Correspondence, they were not immediately prepared with every Thing required.

Then the Managers for the Commons were proceeding to shew the Demand made upon the Rajah in the Year 1780; when they were asked by the House, if they were prepared to give an Account of the Dates of Payment by the Rajah in each Year, of the Sum demanded, as they had proposed.

The Managers for the Commons made Answer, That the Letter from the Governor General to the Court of Directors, dated 14th January 1780, admitted the Payment of the Five Lacks, and of the additional Sum of 20,000 Rupees, charged upon the Rajah for the Expence incurred by the March of the Military Force against him.

To prove, that the Demand of Five Lacks of Rupees was again repeated in the Year 1780, the Witnesses produced Book 26, intituled, "Bengal Secret Council from 29th February to 24th July 1780."

Read, the following Extract from Bengal Secret Consultation of the 22d June 1780, beginning Page 503, of the said Book.

"Fort William, the 22d June 1780.

Secret Dep.
Thursday.

"At a Council; Present,

The Honourable Warren Hastings, Governor General;

Philip Francis, } Esquires.
Edward Wheler, }

Lieutenant General Sir Eyre Coote absent on a Visit to the different Stations of the Army.

Governor
General.

"Governor General.—The Period of Two Years, for each of which the Rajah of Benares, at the Requisition of the Board, has contributed the Sum of Five Lacks of Muchlidar Rupees, as his Proportion of the Burden of the War with France, being nearly expired, and that War still continuing, I move, that he be now called upon to contribute the like Sum, as his Share of the Expence of it for the Current Year.

"Agreed to the Governor General's Motion.

"The following Letter is, in Consequence, written to the Resident at Benares."

To the Resi-
dent at Be-
nares.

"To Mr. Francis Fowke.

"Sir,

"The Period of Two Years, for each of which Rajah Cheyt Sing has contributed the Sum of Five Lacks of Muchlidar Rupees as his Proportion of the Burthen of the War with France being nearly expired, and the War still continuing, we find it necessary to maintain the same Force, and to require that the Rajah shall be at his Share of the Expence; we therefore direct, that you Demand from him Payment of the above Sum, as his Proportion of the Charge for the current Year, and remit the Amount of it to us.

"Fort William,
22d June 1780.

"We are, &c."

The Managers for the Commons being asked, Whether any Objection was made by any of the Council at the above Consultation of the 22d June 1780, to the Renewal of the Demand of Five Lacks of Rupees from the Rajah for the ensuing Year? answered, None, that they could find.

Then the Witnesses produced Book 27, intituled, "Bengal Secret Consultations from 13th July to 7th September 1780."

And the Managers for the Commons informed the House, That the Paper they were now about to produce was to prove two Things: The one, an Acknowledgement of the Receipt of One Lack of Rupees, remitted to the Council at Calcutta by Mr. Fowke the Resident at Benares; the other, an Order of the Board, directing the Resident, when he received the Remainder, to send it to Colonel Camac, who, the Managers for the Commons stated, in Answer to a Question put to them by the House, was at that Time either in the Province of Malwa, or going to it.

Read, the following Extracts from Bengal Secret Consultation of the 7th September 1780.

"Fort

" Fort William the 7th September 1780.

" At a Council ; Present,

The Honourable Warren Hastings Governor General, President,
Edward Wheler Esquire,

Secret Conf.

and

Lieutenant General Sir Eyre Coote, K. B.

Mr. Francis indisposed.

" Read the following Letter from the Resident at Benares.

" Honourable Sir and Sirs,

" In obedience to your Orders of the 22d ultimo, I have demanded of Rajah Cheyt Sing the Sum of Five Lacks of Muchlidar Rupees, as his Proportion of the Burden of the present War with France. The Rajah has desired me to inform you of his intire Submission to Commands. He has promised to pay One Lack of this Amount within a few Days. I shall immediately advise your Honourable Board of the Receipt of it; and shall remit it upon the most advantageous Terms, I can obtain. I shall likewise urge the Rajah, in the strongest Manner possible, to use the utmost Expedition in the Discharge of the remaining Part.

" I have herewith the Honour to inclose you 14 Bills of Exchange, for the Sum of Calcutta Sicca Rupees, 1,61,819 : 4 : 13 : 1, drawn in Favour of the Honourable Company, as per accompanying Invoice, being the Balance on Account of Rajah Cheite Sing's Kist, due the 4th Instant, after Deduction of the Nabob Saadut Ally Cawn's Monthly Allowance of Standard Gourshay Rupees 25,000.

" I have the Honour to be, with the greatest Respect, &c.

" Benares,

(Signed)

F. Fowke,

" 21 July 1780.

Resident at Benares."

☞ " [Read another Letter, as follows, from the Resident at Benares.

" Honourable Sir and Sirs,

" The Raja having completed the Payment of his Tribute for the last Year, I do myself the Honour to transmit, for your Inspection, an annual Account Current of the same; and likewise a Kiftbundy of the Payments to be made by the Rajah on Account of his Tribute for the ensuing Year.

" I have received the Honour of your Commands of the 13th Ultimo, respecting the Payment of the Nabob Saudet Ally's Stipend, and have accordingly deducted from the last Month's Allowance, the Difference of Batta on the Sums I have issued, amounting to B^{ts} S^{rs} R^s 13,519 : 13, at the Rate of 7 4th per Cent. I have also received from the Rajah One Lack of Rupees in Part Payment of his Subsidy; and I have the Honour to enclose Five Bills of Exchange for the Amount of these Two Sums, drawn as per accompanying Invoice.

" I have urged the Rajah very strongly to complete the Payment of his Subsidy, with all possible Expedition; but I find he is determined to make no further Payment, till he receives an Answer to his Arzee, transmitted in my Letter of the 5th Instant, to the Honourable the Governor General.

" I have the Honour to be with the greatest Respect, &c.

" Benares,

(Signed)

F. Fowke,

" 10th August 1780.

Resident at Benares."

" The Secretary informs the Board, that the Accounts inclosed in the above Letter had been sent to the Accountant General, and the Bills to the Sub Treasurer.

" The Governor General lays before the Board the following Letter to him from the Rajah of Benares, referred to in the Letter from the Resident above recorded.

" Arzee from Rajah Cheit Sing.

" Received the 21st August 1780.

" I have been honoured by your Orders directing me to pay Five Lacks of Sicca Mahydar Rupees to Mr. Fowke for the War, which still continues. And although my distressed Situation must be known to you from other Quarters, notwithstanding I have been afraid to represent it to you myself, that I have sold my House, and borrowed Sums of Money, from which I am not yet released, yet in obedience to your Orders, I have paid One Lack of Rupees out of the Five Lacks, to Mr. Fowke, and shall pay the other Four in Three Months. I request you will send Directions to that Gentleman to allow me that Time, and it shall be punctually paid at the End of that Time, and it shall be punctually paid at the End of that Term. You yourself must be convinced, that I have no Abilities or Resources left."

" Ordered, That Mr. Fowke do inform the Rajah, that the Board are much displeased with these affected Delays, knowing his Ability to make immediate Payment of the Subsidy; and that he peremptorily require him to discharge it.

" Ordered, That Mr. Fowke be desired to remit the Sum, when received, by Shroffs, if possible, or by any safe Mode of Remittance, to Major Camac, for the Expenses of the Detachment under his Command, and that Major Camac be advised accordingly."

" The following Letter is accordingly written to Mr. Francis Fowke.

To Mr.
Fowke.

" Sir,

" We have received your several Letters, under Date the 21st July, 18th and 20th August, with the Bills and Accounts enclosed.

" We have also had before us the Rajah's Letter to the Governor General, to which you allude in your Address of the 10th ultimo.

" We desire you will inform the Rajah of Benares, that knowing his Ability to make quick Payment of the whole Amount of the Subsidy, we are much displeased with the groundless Pretences which he urges for delaying it; and we direct that, on Receipt of this Letter you peremptorily demand his immediate Discharge of the Sum due from him on this Account; which, when you have received it, we desire you will remit, either by Shroff's Bills, if possible, or by any other safe Mode, to Major Carnac*, the Expences of the Troops under his Command.

" We are, &c."

" Agreed, That we write as follows to Major Camac.

To Major
Carnac.

" Sir,

" The Rajah of Benares being indebted to the Company in the Sum of Four Lacks of Muchlidar Rupees, we have sent Orders to our Resident at that Place, to demand immediate Payment of it, and to remit the Amount, when received, to you, by Shroff's Bills, if possible, or by any other safe Mode, for the Purpose of defraying the Expences of the Troops under your Command.

" We desire therefore that on Receipt of the Remittances made you by the Resident at Benares, you will appropriate them to their Service for which they are intended.

" Having thought proper to add the Corps of Foreign Rangers now at Cawnpore to the Detachment under your Command, the Commander in Chief has been requested to issue the necessary Orders for carrying this Resolution into Effect.

" Fort William, 7th Sept. 1780.

We are, &c."]

The Managers for the Commons requested the House to observe, that the Order to remit the Money to Major Camac was on the 7th of September 1780; and stated, in answer to a Question from the House, that the Notice to Major Camac was on the same day.

Then the Witness was directed to produce Book 28, intituled " Bengal Council from 11th September to 13th November 1780."

Read, the following Extracts from Bengal Secret Consultation of the 9th October 1780.

" Fort William, the 9th October 1780.

" At a Council, Present,

The Honourable Warren Hastings, Esq. Governor General, President.

Philip Francis, } Esquires.
Edward Wheler, }

Lieutenant General Sir Eyre Coote indisposed.

" Extract of a Letter from F. Fowke, Resident at Benares, to the Governor General and Council.

Resident at
Benares.

" I have received the Honor of your Letter of the 7th instant, and have signified your Commands to the Rajah. He has promised to discharge the Balance of his Subsidy, being Rupees 2,53,000, in the Course of a few Days. I am treating with the Shroffs for a Remittance to Major Camac, and imagine I shall be able to effect it by Bills from them for the whole Amount.

" I have the Honor to be, &c.

" Benares, 27th September 1780.

(Signed)

F. Fowke,
Resident, Benares."

Read, from the same Book, Extract of Secret Consultations of the 26th of October 1780, as follows:

" Fort William, the 26th October 1780.

" At a Council, Present,

The Honourable Warren Hastings, Governor General, President.

Philip Francis, } Esquires.
Edward Wheler, }

Sir Eyre Coote absent on Service.

[" The following Letter from the Resident at Benares, and one received from the Military Storekeeper, having been circulated, they were returned with the following Minute.]

Military Store
keeper.

" Honourable Sir and Sirs,

" I beg Leave to request an Order for the Commercial Department for Twenty Bales of green Purpet, for lining of Field Officers and Captains Marquis, upon my paying the usual Advance on the

the Europe Invoice. This will enable me to complete the Camp Equipage ordered by the Commander in Chief for immediate Service.

" Fort William, 16th October, 1780. " I have the Honor to be, &c.
(Signed) Geo. Livius,
Military Storekeeper."

" Honourable Sir and Sirs,
" I think it incumbent upon me to inform you that the Rajah, notwithstanding his solemn Assurances, has hitherto paid no Part of the Balance of his Subsidy specified in my Address of the 27th ultimo. He has resumed his Plea of Inability, and I can form no Opinion how long he may think proper to protract the Payment. Resident at Benares.

" Benares, the 5th October 1780. " I remain, &c.
F. Fowke,
Resident at Benares."

" In Circulation,
" A Letter from the Resident at Benares; also a Letter from the Military Storekeeper.
" Council Chamber, (Signed) F. Hay,
19th October 1780. Acting Secretary, G. G.

" Governor General.—Such an Instance of Contempt shewn by the Rajah of Benares to the Authority of this Government, at a Time in which his Fidelity and Gratitude for the many Obligations which he owes to it, ought to have prempted him to make a voluntary Tender of that Aid which he now refuses, after repeated Promises to grant it, merits some Mark at least of the Resentment of the Board: For that Reason, I must recommend, that Mr. Fowke be directed to demand instant Payment of the Balance due of his Subsidy; and if he shall not have paid it at the Time of the Receipt of this Letter, to exact from him in the Name of the Board the further Sum of One Lack of Rupees, as a Fine for his past Disobedience. That to enforce this Order, Brigadier General Stibbert be directed to issue Orders to the Commanding Officer of the Battalions of the nearest Stations to Benares to march immediately to that Place, and to wait such Orders as may be hereafter transmitted to them. In the mean time, the Board may be informed of the Reception given by the Rajah to the present Order; and it is hoped that it may be such as shall render it unnecessary to proceed to Extremities against him. Minutes on the Letter from the Resident at Benares. See *Journal* of Orig.

" I acquiesce, though I hope the Threat will be sufficient. " (Signed) W. H.

" (Signed) P. F.
E. W.]

" Agreed, that the following Letter be written to the Resident at Benares.

" Sir,
" We have received your Letter of the 5th instant, informing us that the Rajah, notwithstanding his solemn Assurances, has hitherto paid no Part of the Balance of his Subsidy, specified in your Address of the 27th ultimo: That he had resumed his Plea of Inability, and that you could form no Opinion how long he might think proper to protract the Payment. This Conduct of the Rajah seems to us without Excuse. We direct therefore, that you demand instant Payment of the Balance due of his Subsidy; and if he shall not have discharged it at the Time of your Receipt of this Letter, that you exact from him, in the Name of the Board, the further Sum of One Lack of Rupees, as a Fine for his past Disobedience. To enforce the Compliance due to our Authority, and to the Payment of the Sums required of him, we have given Orders that the Battalions, at the Stations nearest to Benares, should march immediately to that Place, and wait for such Directions as may hereafter be transmitted to the Officer commanding there.

" Fort William, 19th October 1780. We are, &c.
(Signed) Governor General and Council."

" Agreed that the following Letter be written to Brigadier General Stibbert.

" Sir,
" Having had late Occasion to be much dissatisfied with the Conduct of the Rajah of Benares towards this Government, in withholding the Payment of the Amount due from him as his Subsidy, we think it necessary to direct, and do direct you to issue Orders to the Commanding Officers of the Battalions, at the Stations nearest to Benares, to march immediately to that Place, and wait such further Orders as may hereafter be transmitted to them. To General Stibbert.

" Fort William, 19th October 1780. We are, &c.
(Signed) Governor General and Council."

The Managers for the Commons observed they had already shewn, by Mr. Fowke's Letter, dated 10th August 1780, recorded in the Consultation of 7th of September 1780, (*supra* P. 93.) that One Lack of the Subsidy was actually remitted to Calcutta; and, by his Letter dated 27th September 1780, in the Consultation of the 9th October 1780, (*supra* P. 94.) that the Balance was at that Time reduced to 2,53,000 Rupees, Remainder

Remainder of the 5,00,000 Rupees originally demanded; from whence it was apparent that 1,37,000 Rupees must have been paid to the Resident in the Interim, which it also appeared, by the last mentioned Letter,* Mr. Fowke proposed remitting to Major Camac; but the Managers informed the House, they should immediately proceed to prove by another Letter from Mr. Fowke, dated October 18, 1780, that not One Farthing of this 1,37,000 Rupees had been actually remitted.

For this Purpose the following Extract from Bengal Secret Consultation of the 2d November 1780, was read from the same Book.

Pub. Dep^t.
Thursday.

“ Fort William, 2d November 1780.

“ At a Council; Present,
The Honourable Warren Hastings Governor General, President,
Philip Francis, } Esquires.
Edward Wheler, }
Lieutenant General Sir Eyre Coote, K. B. absent on Service.

“ The Proceedings of the 30th Ultimo read and approved.

“ The following Letter from the Resident at Benares having been received since the last Meeting, Orders were issued immediately for countermanding the March of the Troops ordered to Benares.

Resident at
Benares,
dated 18th
October.

“ Honourable Sir and Sirs,

“ The Rajah has this Day given me Bills of Exchange on Gohud, in favour of Major Camac, for the Balance which remained due on Account of his Subsidy, being Benares Sicca Rupees 2,50,000.

“ I shall make a further Remittance to Major Camac, in a few Days, of the whole Amount, which I have received from the Rajah in ready Money on this Account.

“ I have the Honour to be, &c.

“ Benares, 18th October 1780.

(Signed) F. Fowke, Resident
at Benares.”

* See Article
III, Page 5.

The Managers for the Commons stated, That the Demand of the Five Lacks of Rupees in 1780, was described in the Article to be made under particular Circumstances, namely, that Mr. Hastings had just before received the Sum of Two Lacks from Sutanund, the Treasurer of the Rajah *. They should next proceed therefore to prove the Receipt of those Two Lacks by the Defendant, without stating whether it was criminal or not; for which Purpose they desired, that Part of the Paper delivered in at the Table on Tuesday, called “ Mr. Hastings’ Defence at the Bar of the House of Commons,” might be read.

Read, Extract of Answer to the 8th Charge, beginning at Page 357 of the said Paper.

“ I beg it may be observed, that the First of these Presents was received in the Year 1780. at a Time when, as I have truly said to the Directors, “ the Exigencies of the Government were my own, and every Pressure upon it rested with its full Weight upon my Mind: Wherever I could “ find allowable Means of relieving them, I eagerly seized them.” It was in this Year, and at one of these distressful Periods I allude to, that I formed the Plan for drawing Mhadajee Scindia from Guzerat to the Defence of his own Dominions, in Hopes of laying the Foundation of that Peace with the Marattas, to which this Measure did afterwards so greatly contribute. This Plan was opposed by Mr. Francis, then a Member of the Council, on the Plea, amongst others of little Importance, of the additional Expence we should incur by its Adoption. About this Time Buxey Sutanund, the confidential Servant of Cheyt Sing, had been deputed to me in Calcutta by his Master, to acknowledge his former Ill Conduct, and to assure me of his implicit Obedience and Submission in future: He was also entrusted by his Master, to endeavour to procure a Remission of the Payment of the Annual Sum of Five Lacks of Rupees, which the Board had fixed as his Proportion of the Expences of the War.—I peremptorily refused his Request, but assured him, that on the Restoration of Peace, this additional Subsidy should cease; and that this was all he must expect.—Satanund wrote to his Master, and received a Commission from him, to give me the strongest Assurances of his future Obedience, and Submission to the Orders of Government; and he was further directed to request my Acceptance of Two Lacks of Rupees as a Present to myself. My Reply was, that I cordially received his Submission and Assurances of Obedience, but that I must absolutely refuse his Present, which I did.

Having been disappointed in the Execution of my Plan for attacking Scindia’s Dominions, which I deemed, and which proved to be of the most material Consequence, and being thwarted in it by my Colleagues on the Plea of Expence, which was the only material Objection made to it, I determined to accept of the Offer which I before refused; and on my Return from the Council the Day, I believe, that my Plan was rejected, I sent to Sutanund, and told him I had re-considered his Master’s Offer, and would accept the Two Lacks of Rupees, which I desired him to pay to the Sub-treasurer, Mr. Croftes, meaning to apply this Money to defray the Expence of the Expedition against

against Scindia, and thereby hoping to obviate the only Objection which had been made to this important Undertaking. Unfortunately I did not succeed in obtaining the Consent of Mr. Francis and Mr. Wheler, and was therefore concerned at having accepted this Sum from Sadanund, since the only Use to which I meant to appropriate it was frustrated; and I expressed my Vexation to Mr. Markham, my Secretary, as he (who fortunately for me is now in England) can attest. Upon mature Reflection, I determined neither to inform the Council of the Transaction, nor to return the Money to Sadanund, having once consented to accept it; I therefore suffered it to remain in the Company's Cash, as a Deposit for their Use, and by the next Dispatch to Europe I informed the Court of Directors of the Transaction, though I did not state to them from whom I received the Money—a Neglect which I should have studiously avoided, could I have foreseen the Consequences of it. I thought at the Time that I did all that was necessary, by declaring *that it was not my own, and that I neither could nor would have received it, but for their Use.*

The Managers for the Commons stated, that they should next proceed to shew that Mr. Hastings did, contrary to the Engagement subsisting with the Rajah Cheyt Sing, make a Demand upon him of a Number of Cavalry in the Year 1780.

The Witness produced Book 30, intituled, "Bengal Secret Consultations, from 10th August to 23d November 1780."

Read, Extracts of a Consultation held on the 2d November 1780, beginning at Page 641 of the said Book.

"Fort William, the 2d November 1780.

"At a Council; Present,

The Honourable Warren Hastings, Governor General, President.

Philip Francis, } Esquires.
Edward Wheler, }

Lieutenant General Sir Eyre Coote absent on Service.

"The Proceedings of the 30th ultimo read and approved.

"Read again the Letter from Brigadier General Stibbert, dated 28th October, and recorded on the last Day's Proceedings.

"Agreed, that the Governor General be requested to write to the Nabob Vizier, recommending to him to require from Fyzoola Cawn the Quota of Troops stipulated by Treaty to be furnished by the latter for his Service, being 5000 Horle, to be put under the immediate Command of Lieutenant Colonel Muir, commanding at Futtigur.

Fyzoola Cawn
to furnish his
Quota of
Troops.

"Agreed also, that the Governor General be requested to write to the Rajah of Benares, requiring him to furnish such Part of his Cavalry, entertained in his Service, as he can spare for the Service of this Government, and to inform what Numbers he can supply; that a Letter be written to Mr. Francis Fowke, directing him to make the same Requisition of the Raja, and at the same Time, to obviate any Jealousy which the Raja may conceive that this may be converted to a permanent Imposition upon him, by assuring him, that the Board will require the Services of these Forces no longer than while the present War lasts, after which they will be returned.

Rajah of Be-
nares to sup-
ply a Part of
his Cavalry for
the Service of
the Company.

"Agreed, That the following Letter be written to the Resident at Benares.

"Sir,

"On Receipt of the Intimation conveyed to us in your last Letter of the 18th ultimo, Orders were issued to countermand the March of the Troops which were appointed to proceed to Benares in consequence of the Delays used by the Rajah in the Payment of his Subsidy.

To Mr. Fran-
cis Fowke,
Resident at
Benares.
Vide Public
Answer.

"Deeming it just and proper that the Rajah should be desired to afford every Assistance in his Power to this Government, to whose Protection and Support he owes all that he possesses, the Governor General has been requested to write to him to furnish such Part of the Cavalry entertained in his Employ as he can spare for the Service of the Company. But as some Jealousy and Apprehension may arise in the Rajah's Mind, that his * Aid may be converted to a permanent Imposition on him, we think it necessary that such Fears should be obviated, and direct you therefore to assure him, that we shall require the Services of this Force no longer than during the Continuance of the present War, after which it will certainly be returned.

* Sic in Orig.

"Fort William, 2d Nov. 1780.

We are, &c."

The Managers for the Commons being asked, Whether any Deliberation was had upon the Subject, or any Objection made to the proposed Demand of Cavalry, answered, they did not believe there was any Dispute, or that any Minutes passed upon the Subject. And being also asked, Whether this Resolution turned in any Manner upon the Letter of General Stibbert referred to at the Beginning of the Consultation from whence the Extract had been read; they replied, that they did not know it did.

The Witness produced Book 29, intituled, "Bengal Letters, received from 13th May 1780 to 8th April 1782."

Read, the 36th Paragraph of a General Letter to the Court of Directors from the Secret Department of the Board, dated Fort William, 29th November 1780, beginning at Page 158 of the said Book.

“ Fort William, 29 November 1780.

“ We have thought it necessary to require from the Rajah of Benares the same Subsidy for the ensuing Year that he paid in the last, as his Proportion in the Expence of the War. He for some Time hesitated to comply with the Demand, and we were obliged to resolve on Measures of Compulsion; but he has since paid the Amount, and we have stopped the Execution of those Measures. The Support which he receives from this Government, to whom he owes all that he possesses, the known Affluence of his Circumstances, notwithstanding his Pretext to the contrary, and the Interest which he possesses in Chief over all other Persons subject to us in the Company's Prosperity and Success, have induced us to require of him the Assistance of such a Body of Cavalry as he can spare for the Company's Employ, under a Promise made to him that their Services will not be required beyond the Continuance of the War. We have also strongly recommended to the Nabob Vizier to require from Fyzoola Cawn, the Quota of Troops, consisting of 5000 Horse, stipulated by Treaty to be furnished by the latter, and we do not doubt of his ready Obedience to the Requisition.

“ Fort William, the 29th November 1780.

Signed, Warren Hastings,
Edward Wheler.”

Then the Managers for the Commons stated, That having now proved all the Transactions respecting the Three Demands of Subsidies in 1778, 1779, and 1780, and the Demand of Cavalry also in the Year 1780, they ought next, in the Order of the Charge, to proceed to the Statement of some Transactions between Mr. Hastings and the Nabob of Oude, relative to the Rajah of Benares, contained in a very long Paper; but as it would be necessary to read the Whole of that Paper afterwards, they proposed passing over this Paragraph of the Charge at present, and referring to it, when they came to the Paper at Length. They further stated, that for the same Reason, they should now break off their Evidence respecting the Cavalry at the Period of the Demand being made; as on this Subject they should likewise have Occasion to call the Attention of the House to the Paper alluded to, and they wished to avoid reading by Piecemeal what would be more intelligible when taken all together. On these Accounts they should next proceed to state, that Mr. Hastings did write a Letter to the Rajah of Benares, charging him with Irregularity in the Payment of his Annual Stipend; this, they informed the House, they should have proved, but the Defendant had rendered it unnecessary, by setting it forth verbatim in his Answer, already before the House: It only remained therefore for them to prove, that these Payments were, in Fact, made with Regularity; for which Purpose they called,

MR. WRIGHT, who being sworn, was examined as follows.

Q. Are you in the Office of Accountant to the East India Company?

A. I am Auditor of the Indian Accounts to the East India Company.

Then the Managers for the Commons desired the Witness might be directed to produce from the Benares Journal for the Year 1780, the Account and Dates of the several Payments of the Rajah Cheyt Sing's Tribute.

The Witness accordingly produced a Book, intituled, “ Bengal Journal 1780-1.”

Q. What is that Book?

A. This Book is the Journal containing the Account and State of Affairs of the Honourable United Company of Merchants of England trading to the East Indies, their General Joint Stock in Bengal, under the Management and Direction of their Governor General and Council of Fort William, commencing the 1st Day of May 1780, and ending the 30th of April 1781.”

Q. (from a Lord.) Is that the Account from Bengal?

A. From Bengal. The Journal is signed by the Council, viz. Warren Hastings, Edward Wheler, John Macpherson, Esquires. In Page 734 is the Entry of the Resident of Benares, in the Accounts of the Year.

The Book was delivered in at the Table, and the following Extract was read by the Clerk, beginning at Page 734 of the said Book:

“ Resident

" Resident at Benaris —		D ^r to Profit and Loss.	
" Received of Rajah Cheyte Sing, on Account of his Tribute :			
" 1780.	May	—	1,98,434 4 12
	June	—	1,98,431 4 12
	July	—	1,98,431 4 12
	August	—	1,98,431 4 12
	September	—	1,98,431 4 12
	October	—	1,98,431 4 12
	November	—	1,98,431 4 12
	December	—	1,98,431 4 12
1781.	January	—	1,98,431 4 12
	February	—	1,98,431 6 12
Carried forward			19,84,313 — —

" Resident at Benaris —		D ^r to sundry Accounts.	
" To Profit and Loss brought forward			19,84,313 — —
1781.	March	—	1,98,431 6 12
	April	—	1,98,431 6 12
Standard Gourshay Rupees		—	23,81,175 13 4
Batta 8,314 22 8 per Cent.		—	1,96,048 14 10
			25,77,224 11 9

(Signed at the End of the Book)

" Warren Hastings,
Edward Wheler,
John Macpherfon."

The Managers for the Commons stated, that they should next proceed to prove the Payments on Account of the Stipend of Mirza Sawdit Ally Khân; it being a Part of Mr. Hastings's Defence, that the Rajah Cheit Sing's Delay was the Cause of the Nonpayment of that Stipend: The same was accordingly read from P. 735 of the same Journal.

" Sundry Accounts —		D ^r to Nabob Afoph ul Dowlah.	
" Paid to Nabob Mirza Sawdit Alley Khawn his Allowance of Three Lacks per Annum, as per Order of the Honorable the Governor General and Council, dated 20th March 1781.			
" 1780.	May	—	— — —
	June	—	50,000 — —
	July	—	11,480 3 —
Carried forward			61,480 3 —

" Sundry Accounts —		D ^r to Resident at Benares.	
" Nabob Afophul Dowlah, brought forward			61,480 3 —
1780.	August	—	23,310 6 2
	September	—	23,310 6 2
	October	—	23,310 6 2
	November	—	23,310 6 2
	December	—	23,753 2 —
1781.	January	—	23,753 2 —
	February	—	23,753 2 —
	March	—	23,753 2 —
	April	—	23,753 2 —
Standard Gourshay Rupees			2,73,485 4 16
Batta 8,314 22 8 per Cent.			22,516 13 —
			2,96,002 1 10

(Signed at the End of the Book)

Warren Hastings,
Edward Wheler,
John Macpherfon."

Then the Managers for the Commons, stated, they conceived it would tend to elucidate the Matter, if they informed the House that Mirza Sawdit Ally Khān was the Brother of the Nabob of Oude, who resided at or near Benares, and was paid a Stipend by the East India Company, which Stipend was afterwards repaid by the Nabob of Oude: But for the Purpose of first paying it, there was an Order from the East India Company to the Resident at Benares, that it should be provided for out of the Sum of Money payable from the Rajah of Benares, and that it should be allowed him in the Account.

Then they stated, that they should next produce Two Letters, the one written in December 1780, the other in January 1781, from the Resident at Benares, informing the Board of the Payment of the Monthly Gifts, in order to shew that it was impossible Mr. Hastings could have merely been under a Mistake when he wrote the Letter to Rajah Cheit Sing.

The Counsel for the Defendant desired that the Witness might be asked, Whether he knew by whom the Accounts produced, and signed by the Governor General and Council at the End of the Book, and which appear to be examined, &c. and closed by William Larkins, are made up.

The Witness was asked,

Q. What is the Office of Mr. Larkins?

A. Accountant General to Bengal.

Q. Are those Accounts prepared in his Office?

A. Those Accounts are prepared in his Office. This Book is one general Account and Compilation of the various Accounts of the Presidency of Fort William.

Q. Those various Accounts are transmitted in the Course of the Business to the Accountant General's Office, whose Business it is to make up the General Accounts of all the various Branches of the Accounts that come to his Office?

A. It is so.

Q. And it is sent over here by whose Authority?

A. By the Governor General and Council, and signed by them.

Q. Signed by whom?

A. Signed by the Governor General and Council.

Q. Do you happen to know whether the Course of the Business in Bengal is not only to send over the Accounts made up by their Officers from the Accountant General, but also to send over the Original Documents, and how they are made up?

A. From some of the Departments.—For Instance, the Paymaster General of the Forces sends home his.

Q. Are the Originals, or only Copies sent Home?

A. Only Copies.

Q. From the Paymasters?

A. From the Paymasters.

Q. I understand you to say then, that they keep the Originals there in the Course of their Proceedings?

A. So I understand.

Q. But they send over Copies of particular Branches, when those are wanted for the Information of the Company?

A. Yes.

Q. Are those from Benares One?

A. I believe not: The Account of this Year from Benares is not received.

Q. According to the usual Custom, do they send over the Account of the Benares Revenue, in the same Manner as they do the Army Accounts?

A. Not for this particular Year.

Q. Do they generally?

A. No, not from Benares, otherwise than with this general View.

Q. From your Observations on these Accounts, do the Payments always appear to be ascribed to the Day upon which the same become due, or to the Days upon which the Payments are actually made?

A. To the Days on which the Payments were actually made.

Q. That is as far as you know?

A. As far as I understand.

Q. With regard to the Payments made, what is the Language of the Entry?

A. The Entry begins "Received."—

Q. Is there any Date of the Day of the Payments; as yet we have only heard of Months?

A. There are no Dates of the Days of Payment, only of the Months.

Q. Do you know where the Kistbundy, to which those Payments relate, is lodged; is there any Copy of it transmitted Home?

A. I don't recollect that there is; but I think there is; I am not certain.

Q. Does it fall under your Observation that the Kistbundy, for the Payment of the Stipend to Mirza Sawdit Ali Cawn, is or is not in the East India Company's Books?

A. I don't recollect.

Then the Witness was directed to withdraw.

Then the Managers for the Commons observed, that perhaps they might have thought it sufficient to have produced the Accounts sent over by Mr. Hastings, as against Mr. Hastings, but that they would go One Step further, and produce his Letter accusing the Rajah of the Nonpayment of his Tribute; for which Purpose they desired Mr. Hudson might be again called; who, appearing, produced Book 32, intitled, "Persian Correspondence, Letters written in the Public Department from the 1st of January to the 31st December 1781."

Read, a Letter from the Governor General to Rajah Chite Sing, dated 17th January 1781, beginning at Page 1, in the said Book.

" To Rajah Chite Sing:

" Written 17th January 1781:

" Frequent Representations having been made to me of the Want of Punctuality in the Payment of your Malguzary, that Part more particularly which is assigned for the Disbursement of Seidnt Ally Khan's Salary; and it having, at this Time, more than any other, a bad and suspicious Appearance; I do peremptorily order, that all Arrears, of whatsoever Kind, be paid up within 24 Hours after the Receipt of this Perwanna, or you must expect that bad Consequences will follow.

" (Authenticated at the End of the Book, as follows):

" Ex^d G. T. Cherry,
" D. P. Tr:

Fort William,
the 31st December 1781.
H. Colebrooke,
Persⁿ Trans^r."

It appearing that there was no Signature to the Letter, the Managers for the Commons were asked, What Account they gave of the Letter?—They made answer, That the Persian Correspondence is kept in a Book by itself; that it does not appear in the Book at what Consultation this particular Letter was sent, otherwise than by the Date put by the Governor; or that it was signed: That the Address is put; that the Persian Correspondence can only be carried on by the Governor General alone, and that the Book, containing the Letter in question, was authenticated by Mr. Colebrook, the Persian Translator.

Then the Managers for the Commons said, they should next proceed to prove the Payments in December 1780, and in January 1781, of what became due in November and December 1780, by producing the Letters from the Resident above alluded to; and therefore desired the Witness might be directed to deliver in Book 33, and Book 34.

Accordingly Book 33, intitled, "Bengal Public Consultations from 23d November to the 28th December 1780," was first delivered in.

Read, the following Extract of a Consultation on the 14th December 1780.

" Fort William, 14th December 1780.

" At a Council; Present,

The Honourable Warren Hastings Esquire, Governor General, President;

Edward Wheeler Esquire.

Lieutenant General Sir Eyre-Coote absent on Command at the Presidency of Fort St. George.

C c

" Read

Pub. Dept.
Thursday.

" Read the following Letter from the Resident at Benares.

" To the Honourable Warren Hastings, Governor General, &c. Supreme Council of, &c.

" Honourable Sir and Sirs,

Extract of a
Letter from
Mr. Fowke,
Resident at
Benares, to the
Governor and
Council.
* Sic in Orig.

" I have herewith the Honour to send you Twelve Bills of Exchange for the Sum of Calcutta Sicca Rupees 1,63,396 : 1 : 17, drawn in Favour of the Honourable Company, as per accompanying Invoice, being Balance on Account of Rajah Cheite Sing's Kist, due the 4th ultimo, after Deduction of the Nabob Saadut Ally Cawn's monthly Allowance of Out * Siccas 25,000, or Benares Sicca Rupees 23,310 : 4, at 7. 4. per Cent. Batta.

" Dated Benares, 7th December 1780.

(Signed) F. Fowke."

Then the Witnesses delivered in Book 34, intituled, " Bengal Council, 1st January to 8th February 1781."

Read, Extract of a Consultation of 29th January 1781, beginning at Page 512 of said Book, as follows.

" Fort William, 26th January 1781.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President;
and

Edward Wheler Esquire.

Lieutenant General Sir Eyre Coote absent on Command at the Presidency of Fort St. George.

Extract of a Letter, signed " F. Fowke, Resident at Benares," to the Governor and Council; dated Benares, 13th January 1781.

Par. 2. " In obedience to your Orders of the 19th ultimo, I have this Day remitted to Major Camac the Balance of the Kist due the 4th ultimo, after Deduction of the Allowance to the Nabob Saadut Ally Khan; and shall continue the same Remittance monthly."

The Managers for the Commons requested the House to observe, that the Kist said to be due upon the 4th of November 1780, was paid to the Resident by the 7th of December 1780; and that the Instalment due upon the 4th of December 1780 was paid by the 13th of January following; and that they made the Observation in this Place, because they intended afterwards to prove, by oral Testimony, that the Course of Payment in that Country is to pay one Month under another.

The Managers for the Commons then informed the House, that the next Point to which they wished to direct the Attention of the House, was the Delegation of certain Powers with which Mr. Hastings invested himself prior to his going to Benares, in the Year 1781; for which Purpose they would produce Mr. Hastings's own Reasons why he thought such a Delegation was necessary; the Object of it as stated by himself; and the Delegation which he accepted, and took upon himself: Introductory to which it would be proper to state, that at that Period the Council consisted, of the Defendant himself and Mr. Wheler only. But before they proceeded to that Point, it might be as well, once for all, to state the Variations that happened in that Council; viz.

That, In September 1776, Colonel Monson, died.

In August 1777, General Clavering, died.

In November 1780, Mr. Francis, left Calcutta.

The Managers for the Commons being asked, Whether it did not appear that Sir Eyre Coote was of the Council antecedent to the last mentioned Period, made Answer, That in the Years 1780 and 1781, Sir Eyre Coote was upon the Coast of Coromandel with the Army, but though absent, was a Member of the Council during the Whole of the Time he was so absent.

That, on the 11th of December 1777,

— on the 24th of February 1779,

— From the 16th of September 1779,
to the 28th of August 1780,

— Upon the 29th of February 1780,

— From the 13th of October 1780,
to the 3d of November 1782,

— In July 1781,

— on the 5th February 1782,

— About 13th or 14th September 1781,

Mr. Wheler, took his Seat at the Board.

Sir Eyre Coote, took his Seat at the Board.

Sir Eyre Coote, was absent on Service.

Mr. Barwell, resigned his Seat at the Board.

Sir Eyre Coote, was absent at Madras.

Mr. Hastings, went to Benares, and

returned and took his Seat.

Sir John (then Mr.) M'Pherson, arrived at Calcutta.

That from these Dates it was apparent, that from the Time Mr. Francis left the Board to the Arrival of Mr. M'Pherson, the Board consisted of Mr. Hastings and Mr. Wheeler only.

That, on the 11th of November 1782, Mr. Stables, arrived at Calcutta.

— on the 3d of October 1782, Sir Eyre Coote, came back to Calcutta; and remained there;

to the 20th of March 1783;

on the 27th of April 1783,

when he returned to Madras, where, he died.

Then, to shew the Defendant's own Account of his Reasons for wishing the Delegation of Authority before stated to be made to himself, the Witness produced Book 35, intituled, "Bengal Secret Council, 2d April to 14th June, 1781."

Read, the following Extract of a Secret Consultation of the 21st May 1781; beginning at Page 1298 of the said Book.

" Fort William, 21st May 1781.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President,

and

Edward Wheeler Esquire:

Secret Dep.
Monday.

Lieutenant General Sir Eyre Coote, K. B. absent on Command at the Presidency of Fort St. George.

" The Governor General delivers in the following Minute.

" Governor General.—The Province of Oud having fallen into a State of great Disorder and Confusion, its Resources being in an extraordinary Degree diminished, and the Nabob Asop ul Dowlah having earnestly intreated the Presence of the Governor General, and declared, that unless some effectual Measures are taken for his Relief, he must be under the Necessity of leaving his Country and coming down to Calcutta to represent his Situation to this Government, the Governor General therefore proposes, with the Concurrence of Mr Wheeler, to visit the Province of Owde as speedily as the Affairs of the Presidency will admit, in Hopes that from a minute and personal Observation of the Circumstances of that Country, the System of Management which has been adopted, and the Characters and Conduct of the Persons employed, he may possibly be able to concert and establish some Plan by which the Province of Owde may in Time be restored to its former State of Affluence, good Order, and Propriety. Governor General.

" In remedying Evils which have grown to so great a Height, Exertions will be required more powerful and immediate in their Application than can be made through the delegated Authority of the Servants of the Company now in that Province. The Undertaking is arduous and difficult, and the Governor General is far from being sanguine in his Expectations that even his Endeavours will be attended with much Success, as the Time which he can spare will, he fears, be too short for accomplishing the Ends proposed. The Object, however, is of Importance, and the Attempt at least deserves to be made.

" The present Time affords the most favourable Opportunity for the Governor General's Visit: The Ships of the Season for Europe are all dispatched; the Business of the Revenues is put into an easy Channel, and will not require much of the Board's Attention; and nothing of any Consequence can happen, after the setting in of the Rains, that can materially affect the Tranquillity of the Country, or the general System of Politicks. But what chiefly renders the present Opportunity favourable is, the mutual Confidence which, after a Period of so many Years, is at length happily restored between the Members of this Administration, which enables the Governor General to leave Calcutta with the fullest Reliance that the Affairs of the Presidency, under the Charge of Mr. Wheeler, will suffer no Detriment from his Absence; and he is thoroughly convinced that such a confidential Communication will subsist between them, that the Business in which he and Mr. Wheeler may be respectively engaged, will meet with the Concurrence and Approbation of both.

" It is hoped that the Governor General's Visit to Owde will also afford him an Opportunity of negotiating effectually with the Berar Government, and fixing Modagee Bhoeloh to act decidedly and openly in our Favour. Dewagur Pundit, his Minister, who has long dictated the Politicks of the Court of Nagpore, has often professed an Intention of meeting the Governor General, to concert Measures with him for the mutual Benefit and Safety of the Governments of Bengal and Berar; but whilst nothing is done to fix his Intentions to a particular Period and Peace*, they might be postponed from Time to Time, and never carried into Execution. When he is informed of the Governor General's Design of proceeding to Owde, and that One of the Objects of this Journey

{ Hurry † is to give him a Meeting at Benares, it is probable that he will surmount those Obstacles and Difficulties which have hitherto retarded, and might otherwise still continue to retard him from carrying his Intentions into Execution. † Sic in Orig.

" The Governor General thinks that about the 15th of July he will be ready to leave the Presidency.

" Mr.

Mr. Wheler.

" Mr. Wheler.—The Governor General's Representation of the present State of the Province of Owde I believe to be but too well founded, and am convinced that it will require his utmost Abilities and Powers, applied and exercised on the Spot, to restore it to its former good Order and Affluence.

" I admit the Force of the Governor General's Arguments, proving the present Season to be the most favourable for his leaving the Presidency, and the more readily agree to them, from the Opportunity it will afford of negotiating effectually with the Berar Government; but notwithstanding the Greatness of the Objects, which may, and I trust will be attained by the proposed Expedition, I am persuaded that nothing but the Harmony and good Understanding which at this Time prevails in the Council could induce the Governor General to withdraw his Attention from the Affairs of the Presidency at a Crisis like the present; and unless convinced that I was so fortunate as to possess his entire Confidence, and that I might rely upon receiving his Support and Sanction to the Measures I might deem proper to pursue in his Absence, I should at this Time accept with Reluctance so weighty a Charge; for although it may not be difficult to provide for the usual Occurrences of this Government, yet such others may, during his Absence, intervene, and demand immediate Decision, as are not within the Reach of human Foresight, and in such Instances I should not be able to exert myself, under the Influence of Distrust or Restraint."

Then the Managers for the Commons requested the House to take notice, that the first Proposal of the Journey to Oude was made by the Defendant on the 21st May; and observed, that in the Minute of the 3d July 1781, which they should next produce, the Defendant states himself ready to set out.

The Witness produced Book 36, intituled, " Bengal Secret Consultations, from 2d July to 10th December 1781."

Read, the following Extract, from a Secret Consultation of the 3d July 1781, beginning at Page 43 of the said Book.

" Fort William, 3d July 1781.

" At a Council; Present,

The Honourable Warren Hastings Esquire, Governor General, President;

and

Edward Wheler Esquire,

Lieutenant General Sir Eyre Coote absent on Service at Fort St. George.

Secret Dep.
Tuesday.

" The Governor General delivers in the following Minute :

" In my Minute, which I laid before the Board on 21st May, I expressed the Satisfaction with which I could at this Juncture leave the Presidency, from the mutual Confidence which was happily established between Mr. Wheler and me. I now readily repeat that Sentiment, and observe with Pleasure, that Mr. Wheler confirms it. Before my Departure, it is probable that we shall in Concert have provided at the Board for almost every important Circumstance that can eventually happen during my Absence. But if any should occur, for which no previous Provision shall have been made in the Resolution of the Board, Mr. Wheler may act with immediate Decision, and with the fullest Confidence of my Support, in all such Emergencies, as well as in conducting the ordinary Business of the Presidency, and in general, in all Matters of this Government, excepting those which may specially or generally be entrusted to me : Mr. Wheler during my Absence may consider himself as possessed of the full Powers of the Governor General and Council of this Government, as in Effect he is by the Constitution; and he may be assured, that so far as my Sanction and Concurrence shall be, or be deemed necessary to the Confirmation of his Measures, he shall receive them.

(Signed) W. H.

" Resolved, That the following Credentials be given to the Governor General.

The Governor General's
Credentials.

" Whereas it has been resolved, That the Governor General shall proceed to Benares and Lucknow, for the Purpose of obtaining an Interview with the Nabob Vizier and Duwager Pundit, the Duwan of the Rajah of Berar, and for the other consequent Purposes, which are expressed in the Minute of the Board passed to this Effect on 21st May last * : And whereas, besides the said Purposes, others may occur which may require the immediate Presence of the Governor General, with an effective and complete Authority for their Execution; it is hereby resolved, That the Governor General shall be, and is invested with full Powers and Authority to form such Arrangements with the Rajah of Benares, for the better Government and Management of his Zemindarry, and to perform such Acts for the Improvement of the Interest which the Honourable Company possesses in it, as he shall think fit and consonant to the mutual and actual Engagements subsisting between the Company and the Rajah; to assist the Nabob Vizier in forming such Regulations as may be necessary for the Peace and Order of his Government, the Improvement of his Revenue, and the Adjustment of the mutual Concerns subsisting between him and the Company, with such Autho-

* Here the Managers for the Commons desired the House to observe that, in the Reasons given by Mr. Hastings for taking this Journey, no Mention of Benares was made.

city to enforce the same, as the Governor General and Council might or could exercise in Occasions in which they would be warranted to exercise the same, by the Claims which the Honourable Company hold or may have on the Revenues of the Dominions of the said Nabob, and to form and conclude such several Engagements or Treaties with the Nabob Vizier, the Government of Berar, and with any other of the Chiefs or Powers of Hindostan, as he shall judge expedient and necessary, whether for the Termination or more effectual Prosecution of the War with the Marratta State, or for the Advancement of the Interests of the Honourable Company, or for the strict and permanent Establishment and Confirmation of the Alliances which do at present subsist, or which he shall judge it necessary to form with the said Chiefs and Powers respectively; and it is hereby declared, that all such Acts, and all such Engagements or Treaties, made as aforesaid, shall be binding on the Governor General and Council, in the same Manner, and as effectually, as if they had been passed and done by the special and immediate Concurrence and actual Sanction of the Governor General and Council, in Council assembled.

" Given in Fort William under the Seal of the Honourable Company, and under the Hands of the Governor General and Council, this 3d Day of July, in the Year of our Lord 1781.

" The Time approaching for the Governor General's Departure, the Board think it necessary to communicate the following Resolutions to the Commander in Chief, to be published in general Orders.

The Governor General intending to visit the Dominions of the Nabob Vizier, it is therefore ordered, That all such Orders as he shall, from this Time, think it proper to issue to the Troops stationed beyond the Provinces, as well in the Dominions of the Nabob Vizier as those which are situated beyond them, shall be obeyed, and that his single Authority shall be considered and received as of the same Force as that of the Governor General and Council collectively, until this Order shall be revoked.

" Agreed and ordered, That the Military Power vested in the Honourable Warren Hastings, as Governor and Commander in Chief of the Garrison and Forts of Fort William, and Town of Calcutta, be exercised by Edward Wheeler Esquire, during the Absence of the Honourable the Governor General.

Circular Letter to Col. James Morgan.

" Resolved, That the following circular Letter be written to Colonel James Morgan, &c.

" Sir,

" The Governor General intending to visit the Dominions of the Nabob Vizier, we therefore direct you to obey all such Orders and Instructions as he may from this Time think proper to issue to you, and to the Troops under your Command, in his own Name, and in all Respects to consider his single Authority as of the same Force, until this Order shall be revoked, as that of the Governor General and Council collectively.

We are, &c.

" Ordered, That the Secretary do immediately prepare the above Papers; but that they be not issued, until the Governor General shall have taken Leave of the Board.

" The Governor General reports to the Board, That he has made every Preparation for his Departure, and has no Impediment to his setting off immediately but the Necessity of waiting for the Swallow's Dispatches."

Then the Managers for the Commons stated, that having shewn the Delegation of the Authority taken and accepted by Mr. Hastings, and having laid before the House the Reasons which he gave to the Board for accepting that Delegation, they should proceed to put in the Orders of the Court of Directors respecting the Mode and Manner in which they enjoined the Proceedings of their Government to be conducted. For this Purpose the Witness was directed to produce the Standing Orders of the Court of Directors, dated the 26th of February, in the Year 1702. Accordingly the Witness produced a Paper, indorsed; " The Bay Letter, per the Dutchees, 26th February, entered and examined," dated (at the End) London, 26 February 1702.

Signed,	
" J. Martin,	Tho. Coulson,
T. Jeniffon,	H. Herne,
G. Heathcote,	R. Raworth,
S. Shephard,	C. Dubois,
W. Hewer,	W. Prichard,
J. Cooke,	E. Harrison,
J. Andrews,	N. Gould,
G. Dodington,	R. Gough."

Read, the following Extracts, beginning at Page 1 of the said Paper.

" Commission and Instructions given by the Court of Managers for the United Trade to the East Indies, to Mr. Nathaniel Halley, Mr. Robert Hedges, Mr. Jonathan White, Mr. Jonathan Winder, Mr. Ralph Sheldon, Mr. Robert Nightingale, Mr. John Russell, and Mr. Benjamin Bowcher.

Par. 4. " Having heard Complaints of some Irregularities in some of the Factoreries of either Comp^y. we do strictly enjoin, that all our Affairs be transacted in Council, and ordered and managed as the Majority in Council shall determine, and not otherwise, upon any Pretence whatsoever; and to that End, that all of the Council do reside upon the Place: And though we hope you will all be unanimous in the Pursuit of our common Interest, yet if on any Occasion it happens that your Votes are equally divided, the same must be determined by Lot; as we, by our new Charter, are directed in such Case to do."

The Counsel for the Defendant objected, that the House was hitherto unapprised who the Court of Managers were; that the Paper had been put in without Proof of the Custody in which it had been kept, or of the Authority by which it was originally made.

The Managers for the Commons being heard in Answer to the said Objection, the Witness was asked,

Q. Where does that Paper come from? Was it amongst the other Dispatches?

A. Yes; it was taken out of the Dispatches.

Then the Witness produced another Paper, indorsed as follows: " 9th February 1736. Draught, Company's General Letter to Bengal, sent per Devonshire and Nottingham 58. Entered," addressed to the President and Council at Fort William in Bengal, dated (at the End) " London, the 9th February 1736."

" Signed,

" Richard Boulton,	W ^m . Billers,
D ^s Braddyll,	H. Gough,
E. Lovibond,	John Salter,
Miles Barne,	Sam ^l . Feake,
Jos. Wordsworth,	Abr ^s . Addams,
Ch ^a . Colborne,	W ^m . Rous,
Sam ^l . Hyde,	Jones Raymond,
W ^m . Ponneroy,	Jn ^s . Emmerfon,
B. Lyell,	P. Godfrey,
Chr ^t . Burrow,	Robert Adams,
Richard Blount,	Mich. Impey."

Read, the following Extract, Part of Paragraph 67 of the said Draught.

" Our Orders are, that all our Affairs should be regularly transacted in Council, and every Member duly summoned to attend."

The Counsel for the Defendant objected, that it did not appear that the Orders already put in, as Standing Orders, were Orders of which the President and Council had any Notice at Calcutta, nor that they were ever transmitted to Calcutta so as to be any Rule of Conduct to the Defendant, or so as to be considered as a Commission to the then subsisting Governor. They said, it appeared to be an Order from Persons who went under the Name of Managers; that the Title was only a Commission and Instructions given by the Court of Managers to Nathaniel Halsey, Robert Hedges, and others by Name; that the Style run, " We the Managers, &c.;" and that therefore it did not at all import to be the Standing Orders of the Company.

Then the Witness was asked,

Q. Whether he had taken the Papers produced from the Records of the East India Company?

A. From a Bundle of Dispatches of the Year 1702; it is common to tie up the original Dispatches and Letters from Bengal.

Q. The Difficulty that has occurred is this; it is required to know, whether those which purport to be the Standing Orders for the Government of the Presidency and Council at Bengal, were in fact transmitted to that Presidency and Council at Calcutta as the Rule for their Direction. You have already explained that they were taken out of the Bundle that is docketed and called Dispatches in the Year 1702; now, at that Time, in 1702, were there no Books kept of the Transactions of the East India Company here?

A. Certainly.

Q. Are those Books preserved?

A. They are.

Q. Have you looked into them to see, whether there were any Orders in them approving the transmitting of those Standing Orders?

A. It is not usual to enter the Dispatches to Bengal on the Minutes of the Court's Proceedings.

Q. Have

Q. Have you consulted the Proceedings of that Date, to see whether there were any Resolutions for sending the Standing Orders to Bengal?

A. Of that Date I have not.

Q. Does not the Bundle of Dispatches you took this Paper from, contain other Dispatches of the same Period that were sent to Bengal at that Time?

A. There are many other Papers in the Bundle which may have been sent to Bengal.

Q. Do they purport to be Copies of Papers sent to Bengal?

A. These are original Drafts.

Q. How does it appear that they were preserved as original Drafts?

A. It was the Custom of the House.

Q. Is it still the Custom of the House, at this Time?

A. It is still.

Q. As it appears from what has hitherto been read to be the Custom of the Court of Directors now to preserve all the Orders they make and the Letters sent to Bengal, have you not a Book of the Correspondence?

A. No. There are Books of Court Minutes, in which they enter their Proceedings; but they do not enter any of their Dispatches there.

Q. Have you not all the Dispatches that came from Bengal at that Period?

A. Certainly.

Q. Are they all preserved?

A. They are all preserved.

Q. Have you looked into them to see whether they take Notice of the Standing Orders so directed to the President and Council at Bengal?

A. I have not, but I believe the Book of Standing Orders, which was sent from Bengal at the Requisition of the Court of Directors, contains this very Paragraph now read.

Q. The Book of the Standing Orders sent from Bengal is at the India House?

A. Yes.

It being suggested by the House, that a little further Enquiry would probably make it clear; the Managers for the Commons stated, that, if there was the least Hesitation about it, they would produce the Book To-morrow.

The Counsel for the Defendant declared they were not apprised of any such Standing Orders. If they had been so apprised, they would not have troubled the House with any Objection; and proposed, to save Time, that they should be considered as read now, the Managers for the Commons undertaking to produce the Book the next Day.

Whereupon it was ordered, that the Extract should be taken *de bene esse*; and if the Managers for the Commons should not give a satisfactory Account of it the next Day, it must not be considered as Evidence.

Then the Managers for the Commons stated, that the Part of the Proof they were then upon, was to trace the Orders before mentioned down to the present Period; but as the Book was to be produced To-morrow, they would defer that Head of Proof till then, and bring the Whole forward together, it being all within the Compass of a few Lines.

They then proceeded to state, that Mr. Hastings's Reasons for going to Oude, and the Credentials which he took with him for his Authority, having been read to the House, it appeared they had now traced the Matter down to the Eve of his Departure for Benares: They should next give in Evidence therefore, the Transactions which happened at Benares, contained in a Paper called "A Narrative of the Transactions of the Governor General at Benares;" introductory to which they desired the Witness to produce Book 29, intituled, "Bengal Letters received" from 13th March 1780, to 8th April 1782.

Read, the 1st, 2d, 3d, and 21st Paragraphs of a Letter from the Secret Committee at Bengal to the Court of Directors, dated Fort William, the 11th of February, 1782.

" Signed

Warren Hastings,
Edward Wheler, and
John Macpherson.

" Honourable

✍ [" Honourable Sirs,

Par. 1. " In our last Letter from this Department, by the Swallow Packet, dated 29th December 1781, we informed you of the Detention of that Vessel for the Purpose of carrying home a complete Narrative of the Governor General's Proceedings while at Benares and Chunar, which we daily expected to receive from him; however, as the Length of this Paper, and the great Number of References annexed to it, made it impossible to send them down sooner than he did, and we found it would require a long While to copy them after their Arrival, we determined to dispatch the Swallow without them, judging that you would be impatient to hear from us on the Restoration of Peace in the Districts of Benares, and to receive the latest Accounts from Madras, of the Situation of Affairs in the Carnatic.

Par. 2. " We determined at the same Time to dispatch the Nancy Snow, Captain Kiffeman, with these Reports, as soon as they could be prepared; and we have now the Pleasure to transmit them to you, a separate Number in this Packet.

Par. 3. " The above Papers contain such a full Account of all the Transactions of the Governor General upon this Service, together with the Motives and Reasonings upon them, that we think it would be superfluous to add any Thing of our own, but to recommend them to your attentive Perusal.] ✍

Par. 21. " In consequence of a Minute from the Governor General, which makes a Number in this Packet, and in which we heartily concur, we have appointed Major Fairfax to take Charge of the important Dispatches which accompany this by the Nancy; he will therefore attend you with them immediately on his Arrival in England; and having had local Opportunities of obtaining a complete Knowledge of the Transactions in the Zemindarry of Benares, is capable of answering any Enquiries which you may be desirous of making upon Subjects of so uncommon a Nature, and to explain those Points to which your Curiosity may be directed, but which it is impossible for us to anticipate.

" Fort William, 11th February 1782.

(Signed)

Warren Hastings,
Edward Wheler,
John Macpherson."

Then the Witness produced Book 31, intituled, " Governor General's Narrative at Benaris," received per Nancy 24th July 1782.

The same was delivered in.

Read, several Extracts, beginning at Page 1, and ending at Page 21, from a Copy of the said Narrative, printed at Calcutta, by the Authority of Warren Hastings Esquire, Governor General, and agreed by both Parties to be authentic *.

And then the House adjourned to the Chamber of Parliament.

* Vide Narrative infra next Page.

A NARRATIVE of the INSURRECTION which happened in the Zemedyary of BANARIS in the Month of August 1781; and of the Transactions of the Governor General in that District: With an Appendix of authentic Papers and Affidavits.

THE following Sheets were written to guard the Minds of my Superiors against the Suspicions to which all great political Movements are liable, especially such as pass at a Distance from Observation, and are attended with violent Convulsions, or Revolutions, in any of the great Dependencies or Relations of Government, and to which, from their Conformity to that Description, my late Transactions in Banaris were particularly exposed. On the same Grounds they are now made public, for the Purpose of effacing the like unfavourable Impressions from the Breasts of my Countrymen, if I, or my Actions, shall have been deemed of so much Consequence as to have drawn on me that Effect of their Attention. Had I been prompted by the vain Ambition of displaying my own Importance, a Levity of which I have never betrayed any Symptoms, I should certainly have selected other Passages of my publick Life, for the Gratification of such a Disposition. I claim no Merit in having surmounted, by the successful Zeal and Exertions of others, the Troubles, of which though long before conceived, my own Acts had accelerated the Birth; unless I may be allowed a small Portion of Applause, that I never suffered them to embarrass the Hands in which I had left the Care of the superior Government, nor myself to despair of the publick Safety.

WARREN HASTINGS.

✧ [“ To Edward Wheler and John M^rPherson, Esquires, Members of the Council of Fort William.

“ Gentlemen,

“ I have now the Honour to send you the Narrative, which I promised in my Letter of the 18th October, of the Transactions and Events which passed during the Course of the late Insurrection of this Province. I had begun it at the Time of the Date which is prefixt to it; but the busy Scenes which followed, both while I was at Chunar, and after my Return to Banaris, hindered me from prosecuting it till a few Days before the Date which I have subjoined to it. I did not chuse to alter the Introduction, although written at such a Distance of Time from that in which the Body of the Work was executed, and even from the Existence of the Events which are recorded in the latter, because I found it not easy to give it a new Form, without a total Omission of what had been already produced, while my Mind was animated by the recent and actual Scenes in which it was engaged, to an anxious and most feeling Solicitude, not more for the Issue of the impending Contest, than for its Consequences on my own Reputation. In the Consciousness of the Rectitude of my Intentions, I had allowed myself to use an Appeal, the most solemn and most sacred that could bind my Relation to Truth, or impress the Conviction of it on the Hearts of others; nor could I, consistently with my own Sense of its Obligation, withdraw it, or coldly place it after the Narrative already written, and written under the Check which I had imposed upon it. I know not whether I shall be clearly understood: If I am not, yet let this Endeavour to explain a seeming Impropriety in the Construction of this Performance be accepted for its Apology.

“ I have only to add my Hope, that as I have received the most cordial Support in the past Events from you, my respectable and most respected Associates in the Administration, and as it has been my unvaried Study to prevent your suffering any Embarrassment from them, my Conduct in them may also receive its first Reward in the Testimony of your Approbation.

Banaris,

31st December 1781.

I have the Honour to be,

Gentlemen,

Your most obedient, and most faithful Servant,
WARREN HASTINGS.”

A Narrative, &c.

Chunar, 1st September 1781.

IN whatever Manner the Scene may close in which I am now engaged, the Calamities with which it opened will not fail, in their first Impression, to influence in some Degree the Minds of all Men in forming their Judgment of it. In the following Narrative, if I can trust to my own Sentiments, or if those who shall read it will credit this Declaration of them, I shall less study to efface that Impression, than seek to divest my Mind of all partial Bias, and to deliver all the past Transactions and Occurrences with the strictest and most faithful Regard to Truth; in which if I fail, I fail unknowingly: And may the God of Truth so judge me, as my own Conscience shall condemn or acquit me of intentional Deception.

The Motives and Objects of my Journey were various. With these the Design of my Transactions at Banaris had but a remote and secondary Connection. I left Calcutta on the 7th of July.

July. At Buxar Rajah Cheit Sing paid me the customary Duty of Respect, by advancing to that Place, which lay the nearest to the Boundary Line of his Zemedyary. He brought with him a great Fleet of Boats, which, as I afterwards learned, were crowded with Two thousand armed and chosen Men. This Circumstance was noticed by many of the Gentlemen who accompanied me, and was certainly a Deviation from the established Rules of Decorum, not only such as are observed from Vassals to their Superiors, but even such as pass between Equals. An Instance of this will be remembered by many to have happened at Banaris in the Year 1773, in the Meeting which took place there between the late Vizeer Shujah ud Dowlah and myself. He had left his Capital with a large Retinue, but hearing that I came unattended, he dismissed his Followers, and met me with a State as humble as mine.

I received the Rajah with Civility, and without any Expression of Displeasure. I left Buxar the next Morning, and received a second Visit from the Rajah in my Boat. After a short Space he desired to speak to me in private. The Particulars of our Conversation I do not exactly remember: I can only relate the Substance of it. He professed much Concern to hear that I was displeased with him, and Contrition for having given Cause for it, assuring me that his Zemedyary, and all that he possessed, were at my Devotion; he expressed his Fears for Owfan Sing, who had been some Days in my Suite, and of the Intrigues of his Relations; and he accompanied his Words by an Action either strongly expressive of the Agitation of his Mind, or his Desire to impress on mine a Conviction of his Sincerity, by laying his Turban on my Lap. I replied, that I had not seen Owfan Sing, nor concerned myself about him, nor should I descend to be a Party in his Family Disagreements; that my Business was with him, and with him only; that what he had heard, or might have conjectured, of my Displeasure was true: And I entered into a full Discussion of the Causes of it; that I had been already once deceived by his Oaths and Protestations, and should not suffer my Purpose to be changed, or my Duty to be overruled, by any verbal Concessions or Declarations, which were made with little Cost, and for the Observance of which I had no Pledge nor Warrant to credit them. He pleaded his Inability to answer my Charges against him, admitted that he was in every respect faulty, but desired that I would forget the past, and form my Opinion of him on his future Behaviour. I declined any further Conversation upon the Subject, and he took his Leave.

As the preceding Conversation was accidental, and made no Part of the Plan which I had concerted in my own Mind for my Conduct with the Rajah, I kept no Minutes of it, nor should have thought it deserving of a Place in this Narrative, but for the Weight which he has since given to it, and that it might not be imputed to me as a designed Suppression, if I made no mention of it. I shall proceed to relate the Subjects to which it alluded, and add the Purposes which I had in Contemplation concerning them.

On the first Intelligence of the War with France in July 1778, it was resolved in Council, that Rajah Cheit Sing should be required to contribute an extraordinary Subsidy for the Expence which this new Exigency had imposed on our Government; and the Sum was limited to Five Lacks of Rupees for the current Year. After many Excuses and Protestations of Inability, he at length consented, with a very ill Grace, to the Payment, and with a much worse discharged it. The next Year the same Demand was repeated, and he attempted in like Manner to elude it, affecting to borrow Money in small Sums, and to sell his Plate and Jewels, to raise it; nor was it paid at last, till he had reduced the Board to the Extremity of ordering Two Battalions of Seepoys to the Neighbourhood of Ramnagur, and quartering them upon him, with their Pay charged to his Account, until the whole Payment was completed.

Early in the following Year, about the Month of May, he deputed Lalla Suddanund, who was his Buxey, and the confidential Manager of his Affairs, on a private Commission to me, to solicit my Forgiveness of his past Conduct, and to give me Assurances, confirmed by Oath, of his future Submission to the Orders of my Government, and Compliance with my Advice. I accepted his Excuses, and promised him an Oblivion of all that had passed of exceptionable in his Conduct, and my future Protection, and every good Office in my Power, so long as he adhered to his Professions; requiring only, as the Pledge of their Sincerity, that he would immediately notify his ready and unreluctant Consent to the Demand which would be made upon him, this being the Period for it, of the Subsidy for the current Year, and that he would use no Delay in discharging it. I at the same Time explained to Suddanund, the Nature of the Demand; its Conformity to the Customs of all States in Times of extraordinary Emergency; and assured him, that though he must expect a Repetition of it every Year so long as the War lasted, yet it could not be justly drawn into a Precedent for exacting an Increase on his regular and stipulated Rent; and, so far as it could depend upon me, I gave him the strongest Assurances, and I believe very solemn Assurances, that it should not. Suddanund vowed the fullest Obedience on the Part of his Master; the Demand was accordingly made; and the Rajah answered it with a liberal and unreluctant Declaration of his Acquiescence. I expected the immediate Payment of the whole Sum, according to his Promise, and I placed a Reliance upon it so far as to destine the Appropriation of it to the Support of the Detachment which was then acting in the Province of Malva, under the Command of Lieutenant Colonel Camac, not apprehending any Policy which could warp him from the strong Obligation of such an Engagement, and from the evident Interest which he had in fulfilling it. I was mistaken. The First Payment was made in different Periods in the Course of a Month, amounting to about a Lack of Rupees; and there, as I recollect, he stopped, and even descended

to the Meanness of writing to solicit the Forbearance of the Remainder, that it might be included in the regular Payments of the ensuing Year which was then approaching. I am not possessed at this Time of the Materials for ascertaining the Dates of the Demand, and of his Letter written in Acquiescence of it, nor the Dates and correspondent Sums of the subsequent Payments; but I desire that these may be inserted by the Secretary, as a Note to this Page of the Narrative *. It is sufficient to say that the Demand was made, and the whole Payment consequently due, in July; that it was not until the Month of October, nor until the same Constraint was practised to compel his Obedience as had been used in the preceeding Year, by an Order for the Advance of Two Battalions of Sepoys for that Purpose, that the Balance of the Subsidy, which was Two Lacks and a Half of Rupees, was discharged. In the mean Time, the Resident received an Order from the Board to remit the Money as he received it, by Bills, to the Paymaster of Lieutenant Colonel Camac's Detachment; but these, from the Lateness of the Receipts, were not sent until the Detachment had suffered the Extremity of Distress from the Want of Money, and very great Dejections; all which Calamities I charge to Rajah Cheyt Sing's Account, as it is certain that my Reliance on his Faith, and his Breach of it, were the principal Causes that no other Provision had been made for the Detachment, and that it suffered such Want in Consequence.

It is with the greatest Tenderness that I recur to the past Dissentions in our Government; but I am compelled to it on this Occasion, for the Elucidation of the Conduct of this Man; which had the Appearance of being invariably guided by the Reports which were made to him of the State of my Influence. When he deputed his Buxey Suddanund to me, in the Manner which I have mentioned, an apparent Harmony had taken place in our Councils, with the general Expectation of its being permanent. The Powers of our Government whenever united, and, if I may use the Term, consolidated, by such an Event, will ever recover the Respect which is due to them, especially from those who have rendered themselves obnoxious to its Terrors. The Subject which produced the subsequent Contest between Mr. Francis and myself, originated a little before the Departure of Suddanund from the Presidency, but was not perhaps either generally known, or known to have grown into a decided Breach, till the latter End of July. A Reference to the Proceedings of that Period will prove the Grounds of this Supposition. It was the prescribed Duty of Cheyt Sing's Vackeels in Calcutta, to furnish him with every little Anecdote which bore any relation to the State of our Government. I believe, that the deliberate Manner in which he made the First Payment of the Subsidy of that Year, was dictated by the Doubts suggested of the Firmness of my Authority; and I am morally certain, that his subsequent Excuses and Delays in the Payment of the Residue of the Subsidy, were caused by the Belief that I was no longer able to enforce it; and possibly, for such was the Report, that a few Months would close the Period of my Administration altogether. That I had his solemn Promise, in the Manner which I have recited, to pay the Subsidy, I as solemnly affirm; and his Letter, assenting to the Payment, which is recorded on our Consultations, is a strong presumptive Evidence of it: And that he evaded the Performance of his Promise; that he attempted to the utmost of his Power, to elude it altogether, is also proved by the Record of the Dates of the different Payments; the Minutes of the Board relating to them; and the Order of the Board for the March of a Detachment for the Purpose of compelling him to perform it. That this Order had a principal Effect in bringing him to a Compliance, I believe; but I also attribute a Share of it to the approaching Departure of Mr. Francis, which was published and generally expected.

I owe it in Candor to the Gentleman whose Name I have reluctantly repeated in this Digression, to obviate an Interference which might otherwise be unwarily drawn from it, by declaring, that I mean not, by the most distant Hint, to impute any Part of this Policy to him, and in my Heart do totally and deliberately acquit him of any Concern in it, however, in the Resentment of instant Disappointment, I may have suffered my Mind to catch such a Suspicion; although I believe that, if I have, it has been sacredly confined to my own Breast.

This was the First direct Charge which I had to prefer against the Rajah. The Second was similar in its Quality and Principle. On the 2d of the Month of November 1780, a Resolution passed the Board, That a Letter should be written to the Nabob Vizeer, advising him to require from the Nabob Fyz-Oolla Khan, the Number of Troops stipulated by Treaty, expressed, as it was

* Note by the Secretary.

Demand, Secret Consultation 22d June 1780.

Acquiescence, expressed in a Letter from the Resident, dated 21st July. Public Consultation 7th September 1780.

Dates of Payments, viz.	30th July 1780	—	—	—	37,000
31st Ditto	—	—	—	—	20,000
3d August	—	—	—	—	27,500
5th Ditto	—	—	—	—	15,500
20th September	—	—	—	—	1,00,000
24th Ditto	—	—	—	—	47,000
18th October	—	—	—	—	3,000
20th Ditto	—	—	—	—	2,50,000
					<hr/>
					Rupees 5,00,000

then

then understood to be, 5,000 Horse; and that the like Demand should be made on Rajah Cheit Sing, for all the Cavalry in his Pay which he could spare for our Service. At that Time we stood in need of every Aid that could be devised, to repel the multiplied Dangers which surrounded us. The Rajah was supposed to maintain a very large and expensive Standing Force, and the Strength of his Cavalry alone was estimated at Two thousand. I had formerly experienced their Utility in the War with the Senassee, in which they were successfully employed, and liberally rewarded. The Demand was formally made, both in a Letter from myself, and in Person by the Resident, Mr. Fowke, in the easy and indefinite Terms mentioned above. His Answers were evasive, pleading (as I recollect, for I am not in Possession of them) the Scantiness of the Establishment, its Employment in enforcing the Collections, and the Danger of these failing if the Detachment were withdrawn. At length a more peremptory Order was sent to him, and repeated by the present Resident Mr. Markham. The Number required was 2,000, and afterwards reduced to the Demand of 1,500, and lastly to 1,000, but with no more Success. He offered 250, but furnished none.

These Instances of Contumacy and Disobedience, criminal as they were in themselves, and aggravated by the extreme and known Distresses and Dangers of the superior State, to which he owed not only personal Fealty, but every voluntary Aid which all the Resources of his Zemeedary could contribute, appeared to me of less Consideration as such, than as they were Evidences of a deliberate and systematic Conduct, aiming at the total Subversion of the Authority of the Company, and the Erection of his own Independency on its Ruins. This had been long and generally imputed to him. It was reported that he had inherited a vast Mass of Wealth from his Father Bulwant Sing, which he had secured in the Two strong Fortresses of Bidjeygur and Lutteefpoor, and made yearly Additions to it; that he kept up a large Military Establishment both of Cavalry, of disciplined and irregular Infantry, and of Artillery; that he had the above and many other Fortresses, of strong Construction, and in good Repair, and constantly well stored and garrisoned; that his Aumils and Tenants were encouraged and habituated to treat English Passengers with Inhospitability and with Enmity; that he maintained a Correspondence with the Marattahs, and other Powers who either were or might eventually become the Enemies of our State; and if the disaffected Zemeedars of Fyzabad and Behar were not included in the Report, which I do not recollect, we have had woeful Proof, that there was equal Room to have suspected the like Intercourse between them; and lastly, that he was collecting, or had prepared, every Provision for open Revolt, waiting only for a proper Season to declare it, which was supposed to depend either on the Arrival of a French Armament, or on a Marattah Invasion.

This Design had been greatly favoured by the unhappy Divisions of our Government, in which he presumed to take an open Part. It is a Fact, that when these had proceeded to an Extremity bordering on civil Violence, by the Attempt to wrest from me my Authority, in the Month of June 1777, he had deputed a Man named Sumboonaut, with an express Commission to my Opponent, and the Man had proceeded as far as Moorshedabad, when hearing of the Change of Affairs which had taken place at the Presidency, he stopped, and the Rajah recalled him.

It may perhaps be urged in favour of Rajah Cheit Sing, that he was justifiable by the Principle of good Policy, in seeking a State of Independency; that we had no natural Right to his Vassalage, having acquired it, with all our other Rights of Dominion, by no other Charter than the successful Spirit of Enterprize. Were this truly the Case, it would reduce the Relation between us to the primitive Law of Nature, and it would be equally incumbent on us, on that Ground alone, to use every Means to confirm and perpetuate his Subjection, as it would be allowable in him to emancipate himself from it. But something more, I apprehend, was due, both as a political and even moral Obligation, from him.—His Father, Bulwant Sing, derived the Degree of Independency, which he possessed during the latter Period of his Life, from the Protection and Intervention of our Government. His Son, Cheit Sing, obtained, from our Influence exerted by myself, the First legal Title that his Family ever possessed of Property in the Land of which he till then was only the Aumil, and of which he became the acknowledged Zemeedar by a Sunnud granted to him by the Nabob Shujah ud Dowlah, at my Instance, in the Month of September 1773. On the Succession of the Nabob Assof ud Dowlah, the Rights of Sovereignty which were held by him over the Zemeedary were transferred by Treaty to the Company. Those Rights were indisputably his, and became, by his Alienation of them, as indisputably the Company's; and every Obligation of Fidelity and Obedience which is due from a Zemeedar to the superior Magistrate, by the Constitution of Hindostan, became as much the Right of the Company from Cheit Sing, as it had been due to his former Sovereign, with the additional Ties of Gratitude for the superior Advantages which he was allowed to possess with his new Relation. The unexampled Lenity of our Government, in relinquishing to him the free and uncontrouled Rule of his Zemeedary, subject to a limited annual Fine, and the Royalties of the Mint, Administration of Justice, and Police, ought to have operated as an additional Claim on his Fidelity, but evidently served to stimulate his Ambition, and perhaps to excite in his Mind an Opinion that he possessed an inherent Right of Self-dependency.

I considered Cheit Sing as culpable in a very high Degree towards our State; and his Punishment, of which I had given him frequent Warnings, if he did not amend his Conduct, as an Example which Justice and Policy required, equally for the Reparation of the Wrongs which its Dignity had sustained, and for the future Preservation of its Authority. I was resolved to draw from his Guilt the Means of Relief to the Company's Distresses, and to exact a Penalty, which I

was convinced he was able to bear, from a Fund which I was also convinced he had destined for Purposes of the most dangerous Tendency to the Company's Dominion. In a Word, I had determined to make him pay largely for his Pardon, or to exact a severe Vengeance for his past Delinquency.

Those who have been accustomed to regard Cheit Sing as a Vassal or tributary Prince, may revolt at the Idea of treating him with such Indignity, and call it an Oppression. They will suppose nothing due from him to the Company, but the Payment of his stipulated Tribute, and that the Pledge of his Exemption from every other Claim: I suspect too, that the Deeds which passed between him and the Board, on the Transfer of the Zemedyary to the Company in 1775, are by many understood to bear the Quality and Force of a Treaty of optional Conditions between equal States. To such I reply, That such an Opinion is itself criminal to the State of which he was a Subject, and that he was himself amenable to its Justice, if he gave Countenance to the Belief. He paid no Tribute to the Company, but a fixed annual Rent. The Deeds by which he held his Zemedyary, and the Company their Claim to their Portion of its Revenue, were a Sunnud or Grant, and a Potta or Lease, executed on the Part of the Company; and a Cobooleeat or Agreement, and Kistbundy or Account of Payments to be made by Instalments, on his Part. These, excepting the special Privileges allowed to the Rajah, of the Mint, the Cutwallies of Banaris and Jowanpoor, the Powlidary and Aumeeny; that is so far as they relate to the Zemedyary alone, are drawn precisely in the same Forms as Instruments of the same Denominations interchanged with the Zemedyars of Bengal. I refer to the Instruments themselves, which will make a Number in the Appendix to this Narrative; in which it will be seen on how different a Tenure, and how infinitely below Independency, he really held his Zemedyary. The Sunnud and Cobooleeat are Counterparts of each other; the former prescribes the Revenue which was to be paid, and the Duties which were to be performed, as the Conditions on which the Rajah was confirmed in the Possession of his Zemedyary; and of these Conditions the Cobooleeat is a Pledge or Engagement for the Performance. In the first, the *Government and Sovereignty* of the Zemedyary transferred by the Nabob Assof ud Dowlah to the Company, are stated as the Basis of it: The Zemedyary is confirmed to him: *A strict Observation and Execution of the Duties incumbent on him; to behave with Moderation and Kindness to the Rayots and People: to promote the Cultivation and Encrease of the Inhabitants and Produce of the Lands; to preserve the Peace, and punish the Disturbers of it; and to pay a yearly Rent of Twenty-three Lacks, Forty thousand, Two hundred and Forty-nine Mahidar Rupees in monthly Payments, agreeable to the Kistbundy; are most strictly and positively commanded and enjoined; and the Officers of the Zemedyary are commanded to regard him as the Zemedyar, and to acknowledge his Authority in the several Acts appertaining thereunto.* I must observe, that in the Translation of the Sunnud, the yearly Revenue is in one Place, through the Negligence of the Translator, expressed by the Word *Tribute*; but it is not on the Translation, nor on the Will of a Translator, that the Rights of the Company depend. I affirm the Word to be false, as it is inconsistent with the proper Term *Revenue*, immediately following in the same Translation, and with the same Term *Revenue* occurring in the Translation of the Cobooleeat or Agreement.

The Cobooleeat also sets off with stating the Company's Sovereignty as the Basis of the Agreement, and acknowledges the Grant made by the Company to Rajah Cheit Sing of the Zemedyary, and other Privileges recited in the Sunnud: And it proceeds to express, that *it shall be his Duty to do every Thing that may be needful and usual for the Interest of the Country, to provide for the Welfare of the Inhabitants, to be attentive to the Encrease and Security of Cultivation and Improvement of the Revenues, to use his Endeavours to expel Robbers, &c. and pay the annual Revenue of Government, in the Manner prescribed by the Sunnud.*

To obviate Misapprehensions, I think it proper to remark, that in the above Recitals I have abridged the Text, where it was too prolix and involved for literal Quotation, and given the Substance in the closest Sense of it; but where I have used the original Words of the Translations, I have distinguished them by Italic Letters as such. The Copies in the Appendix will shew with what Fidelity I have conformed to the Text in both Instances.

I have dwelt with a greater Stress and with a more minute Exactness, on the foregoing Subject, because it is on this Point that the Justice and Propriety of my Conduct must wholly turn. If Rajah Cheit Sing possessed the Zemedyary of Banaris in his own Right, and with an inherent and exclusive Authority; if he owed no Allegiance to the Company, nor Obedience beyond the Payments of a stipulated Tribute; I am liable to Condemnation for exacting other Duties from him, and for all the Consequences of that Exaction; and he is guiltless: but if the Company, possessing the acknowledged Rights of his former Sovereign, held an absolute Authority over him; if in the known Relation of Zemedyar to the sovereign Authority, or the Power delegated by it, he owed a personal Allegiance and an implicit and unreserved Obedience to that Authority, at the Forfeiture of his Zemedyary, and even of his Life and Property, at the Discretion of those who held or fully represented the sovereign Authority; if in Corroboration of the general and implied Obligation, he was bound to it by written Engagements and specific Conditions; I am warranted in my Assertion of the Rights of Government, which were fully and wholly delegated to me; and he alone is responsible for his Opposition to them, and for all the Consequences which have attended that Opposition.

Whether I have exercised the Power vested in me with Justice and with Moderation, will appear from the preceding Relation, and the following Parts of this Narrative.

Before I quit this Digression, I must further trespass on the Patience of the Board, and of those for whose Judgment it is ultimately written, by a more pointed Application of the above to my own personal Conduct and Character.

I will suppose for a Moment that I have erred, that I have acted with an unwarranted Rigour towards Cheit Sing, and even with Injustice. Let my Motive be consulted. I left Calcutta impressed with the Belief, that extraordinary Means were necessary, and those exerted with a strong Hand, to preserve the Company's Interests from sinking under the accumulated Weight which oppressed them. I saw a political Necessity for curbing the overgrown Power of a great Member of their Dominion, and making it contribute to the Relief of their pressing Exigencies. If I erred, my Error was prompted by an Excess of Zeal for their Interests, operating with too strong a Bias on my Judgment. But rare are the Instances in which the Judgment suffers the Bias of such an Operation; and much stronger is the Presumption, that Acts, prompted by an unmixed Attention to the Public Interests, are founded on just Principles, than that they are the Result of a misguided Judgment.

Possibly it may be suspected,—and may God forgive those who know me, and countenance the Suspicion; I have no Title to an Exemption from it with others;—that I was influenced by a secret and mercenary Interest. I have heard of the Practice of holding out the Terrors of Authority, and the Denunciations of Disgrace, Dismission, and War, as the Instruments of private Rapacity. Though the Charge, if true, is capable of positive Conviction, yet I know of no direct Evidence which could refute it, where it were false; for no one can be conscious of the Recesses of another's Mind. I can therefore only offer such presumptive Proofs of my Intention, as the Nature of it will admit, and Accident has provided. These are my early and confidential Declarations, and the Attestations of those to whom they were made. In a Point of such public Moment, independently of the near Interest which I have in establishing the Truth of it, Mr. Wheeler will pardon my Appeal to him, although in one Light it may tend to involve him in a Participation of the Reproach of those who may regard every Severity shewn to Cheit Sing as criminal, however founded. He will doubtless recollect the Conversation which I had with him on the Subject, on the Eve of my Departure from Calcutta; our mutual Opinion of Cheit Sing's past Conduct; mine of the Justice and Policy of exacting an exemplary Punishment for it, by a large pecuniary Mulct; the Sum to which I then declared my Resolution to extend it; my Conviction of his Ability to pay it; and the Two Alternatives on which I had resolved, if he refused to submit to it. He will also remember, that I bespoke his Confidence in the Means which I should use for this End, and his Support in the Issue of them. I entreat him to give me his formal and circumstantial Attestation of these Facts, and that he will permit it to be inserted in this Part of my Narrative*. After such an Appeal, it would be as superfluous as indelicate to call in the Aid of other Testimonies, if all that were required were no more than to ascertain that I did hold such a Conversation as that which I allude to with him. The Conclusion will be much strengthened by its Agreement with Declarations made by me on the same Subject, and nearly at the same Point of Time, to others. I shall therefore require similar Attestations† from Major Palmer, my Military Secretary, and from Mr. Anderson, my appointed Assistant on this Deputation. With these References, and their Result, I shall make my last and solemn Appeal to the Breast of every Man who shall read this, Whether it is likely, or morally possible, that I should have tied down my own future Conduct to so decided a Process and Series of Acts, if I had secretly intended to threaten, or to use a Degree of Violence, for no other Purpose than to draw from the Object of it a mercenary Atonement for my own private Emolument, and suffer all this Tumult to terminate in an ostensible and unsubstantial Submission to the Authority which I represented? Whether it is likely, or morally possible, that I should have chosen to irritate the Feelings of my Colleague in Office, and expose myself to all the Effects of his Indignation, by so wanton and unnecessary a Deception; or lower my own Dignity and Character, and afford so base an Example to my Inferiors, by pretending to make them privy to Acts which I never meant to

* Mr. Wheeler.—I have the Pleasure to comply with the Governor General's Request, and will cheerfully record, in this Place, what I at present recollect to have passed between us, at the Time and on the Circumstances which he mentions.

I well remember, that on the Eve of the Governor General's Departure from Calcutta, the Conduct of Cheit Sing, late Rajah of Banaris, was a principal Subject of a confidential Discourse between us, and that he bespoke my Support of the Measures which he intended to pursue towards him.—I recollect that the Governor General thought the Rajah's Offences were such as to require early Punishment, and as his Wealth was great, and the Company's Exigencies pressing, it was thought a Measure of Policy and Justice to exact from him a large pecuniary Mulct for their Relief; the Sum to which the Governor declared his Resolution to extend the Fine, was Forty or Fifty Lacks; his Ability to pay it was stated as a Fact that could not admit of a Doubt; and the Two Alternatives on which the Governor declared himself to have resolved, if Cheit Sing refused to comply with the Requisition, were, to the best of my Recollection, either a Removal from his Zemeedary entirely; or, by taking immediate Possession of all his Forts, to obtain, out of the Treasure deposited in them, the above Sum for the Company.

† Vide Appendix.

perform, and from which I could not depart with any possible Shew of Reason, but the manifest Sacrifice of my Integrity. A Man actuated by such a Motive, and possessing the Trust which I held, would have used a Cover to his Venality; he would not have compromised himself by positive Declarations of what he would do, much less by detailing his Intentions in a Series of Trials, as they might successively fail; but would have been contented with distant and indefinite Intimations and Suggestions, which obviously left his Actions open to Enquiry and Variation, which could not subject him to the Imputation of Inconsistency, if they were productive of no Effect, and which he might use as Justifications, if his Artifices should chance to operate with the Effect ostensibly portended by them.

I now return to my Narrative.

I arrived at Banaris on the Morning of the 14th of August; the Rajah some Hours later: I forbade his coming that Evening to my Quarters, as he had intended, and required him to defer his future Visits until he should receive my Permission, as I had some previous Matters to settle with him, of which he would be informed by the Resident, whom I should depute to him the next Morning for that Purpose.

My Narrative will be best continued, nor will the Thread of it be broken, by the following Copy of my Report of my Proceedings, and of the Consequences which attended them, to Mr. Wheler, then the only effective Member of the Board.

To Edward Wheler, Esquire.

" Sir,

" I arrived at Banaris on the 14th Instant. My Transactions with the Rajah being of a most important Nature to the present and future Interests of the Company, I have determined to inform you of them without Delay, in the Order in which they have occurred.

" The First Step which I judged it necessary to take, as the Ground on which my future Proceedings with the Rajah were to be conducted, was to recapitulate in Writing the several Instances of his Conduct, which for some Time past have repeatedly drawn upon him the severe Reprehensions of the Board, and to demand a clear and satisfactory Explanation.

" This Paper I sent to the Rajah, by the Hands of Mr. Markham, who was directed to require an immediately Answer. Late in the Evening his Answer arrived. The following are Copies of both."

" No. 1. To Raja Cheit Sing.

" It is about Sixteen Months since Lallah Suddnuand, your Buxey and confidential Servant, came to Calcutta, charged with an express Commission and Authority to make Excuses for your past Conduct, and to give me Assurances, confirmed by Oath, of your future Submission to my Advice and the Orders of my Government. As a Test of your Sincerity, I required an immediate and unreserved Acquiescence in the Demand, which at the same Time was made to you in the Name of the Governor General and Council, of a Subsidy of Five Lacks of Rupees, for the Expences of the War. With this Demand you ostensibly complied in your Answer to my Letter; and the Buxey promised me verbally, in your Name, and in Terms so strong as amounted to the fullest Assurance, that there should be no Delay in the Payment. Relying on this Agreement and Promise, I gave Orders to Mr. Fowke, who was then Resident at this Place, to receive the Money, and remit it to Colonel Camac, for the Pay of the Army which had been ordered to march towards the Province of Malva; and I made no other Provision for it, such was my Confidence in your Faith. But you deceived me; and, after having made the First Payment of a few Rupees, either consulting the Temper of the Times, or conforming to a premeditated Design, you, by Shifts and Pretexts, withheld the Remainder, until the Army, for whose Use it was intended, was reduced to the last State of Distress. Many Hundreds deserted, and, had an Enemy at that Time appeared against them, their total Destruction had been inevitable. In all this Time daily Application was made to you by the Resident, and I wrote repeated Letters to you; but you paid no Regard to either. Besides this, I required, in the Name of the Governor General and Council, by Letter, and ordered Mr. Fowke to repeat the Requisition in Person, that you should furnish a Body of Horse to assist and act with the Armies of the Company; and when Mr. Markham succeeded Mr. Fowke, I gave him an Order to repeat the Demand, which he did accordingly, with frequent and almost daily Importunity, limiting the Number to 1,500, and afterwards to 1,000. To this Demand you returned evasive Answers, nor to this Hour have you contributed a single Horseman.

" I pass over other Instances of your Conduct, in which, through the Means of your secret Agents, you have endeavoured to excite Disorders in the Government on which you depend; and your Neglect of the Duty which you owe to it, and to the Subjects of this Zemeedary, by suffering the daily Perpetration of Robberies and Murders, even in the Streets of the City of Banaris itself, to the great and public Scandal of the English Name, and in Violation of one of the Conditions on which you received the Confirmation of this Zemeedary. But as the Two foregoing Instances amount to a direct Charge of Disaffection and Infidelity to the Government on which you depend, and happened at a Time in which it was your Duty more especially to have exerted yourself in the

Support of its Interests, I have therefore judged it proper to state them to you thus fully in Writing, and to require your Answer to them; and this I expect immediately."

" No. 2. From Rajah Cheit Sing to the Honourable the Governor General.

" I received your Letter delivered to me by Mr. Markham, and I have understood every Particular of its Contents. Sir, after the Arrival of Sheakh Ally Nucky, I observed all the Orders which you sent me; and I received the Letter which the deceased Sheakh brought me, informing me that every Suspicion was now completely removed from your Mind, and that I must consider you, as formerly, attentive to me. But I have not experienced from you the same Generosities as formerly. I sent you repeatedly Letters representing to your Consideration my unhappy Circumstances; but you never honoured me with any Reply. For this Reason I sent my Buxey Suddanund to your Presence, enjoining him to represent to you the Firmness of my Obedience and Attachment, to lay before you the Particulars of my Situation, and to learn the Disposition of your Mind towards me. He arrived accordingly in your Presence, and represented every Thing in a proper Manner. I have never deviated in the smallest Degree from these Professions; and the Benefits and Civilities with which you have honoured me, have given me the greatest Satisfaction; and I have considered you as the Source from which I derived the Fulfilment of all my Wishes and Desires. It is my firm Hope that I may be always favoured with your Directions. In this Manner I complied, with the utmost Readiness, with the Order you sent me for the Payment of Five Lacks of Rupees on account of the Expences of the War. I sent first One Lack of Rupees, with an Answer to your Letter; afterwards, having paid to Mr. Fowke the Sum of One Lack and Seventy thousand Rupees, I sent a Letter, requesting a further Allowance of Time to enable me to make some Preparations. To this I received no Reply, it being no Time for Delay. Notwithstanding this, I was not a Moment inattentive to this Concern; and as soon as my Buxey arrived, I paid immediately the remaining Part of the Sum. The remitting of this to the Army did not depend on me; if any Delay happened on this Head, I could not help it. If besides the Payment of the Money, the Remittance of it also to the Army had rested with me, a Delay of this Kind should not have happened. I have enclosed in this Letter a Paper, specifying the particular Sums which have been advanced, with their Dates.

" With respect to the Horse, you desired me in your Letter to inform you of what Number I could afford to station with you, and I sent you a particular Account of all that were in my Service, amounting to One thousand Three hundred Horse, of which several were stationed at distant Places; but I received no Answer to this. Mr. Markham delivered me an Order to prepare a Thousand Horse. In compliance with your Wishes, I collected 500 Horse, and as a Substitute for the Remainder, 500 Burkandazes, of which I sent you Information; and I told Mr. Markham they were ready to go to whatever Place they should be sent. No Answer however came from you on this Head, and I remained astonished at the Cause of it. Repeatedly I asked Mr. Markham about an Answer to my Letter about the Horse; but he told me he did not know the Reasons of no Answer having been sent. I remained astonished. With respect to the Sepoys, I received first an Order to station two of my Companies, which I did; I was then desired to give a Tunkaw for the Payment of the Sepoys, and likewise to pay the Captain; which has been done every Month.

" Excepting Abdullah Beg and his Attendants, none of my People, either Dependants or Servants, or others in any Shape connected with me, have ever gone to Calcutta. My Enemies, with a View to my Ruin, have made false Representations to you. Now that, happily for me, you have yourself arrived at this Place, you will be able to ascertain all the Circumstances relative to the Horse; to my People going to Calcutta; and the Dates of the Receipts of the particular Sums above-mentioned. You will then know whether I have amused you with a false Representation, or made a just Report to you. I have given my Aumils most particular Injunctions, and have taken a Penalty Bond from them, that they shall keep no Thieves in their District. What Power have they to act otherwise? But if ever a Murder or Robbery is committed in the Country, I have been careful to impale or otherwise punish the Culprit. If a Person having committed a Delinquency should escape to some other Place, so as to elude all Discovery, in that Case I am helpless; but to the utmost of my Power I endeavour to fulfil your Orders. I have never swerved in the smallest Degree from my Duty to you. It remains with you to decide on all these Matters. I am in every Case your Slave. What is just I have represented to you. May your Prosperity increase.

" Account of Five Lacks of Rupees advanced for the Expences of the War.

" 1st. Shaabaun,	—	—	1,00,000 R ^l .
" 29th. Ramzan,	—	—	1,70,000
" 7th. Shewal,	—	—	1,30,000
" 18th. Shewal,	—	—	1,00,000
			<hr/>
			5,00,000 Rupees.
			<hr/>

" This

" This Answer you will perceive to be not only unsatisfactory in Substance, but offensive in Style; and less a Vindication of himself, than a Recrimination on me. It expresses no Concern for the Causes of Complaint contained in my Letter, or Desire to atone for them; nor the smallest Intention to pursue a different Line of Conduct. An Answer, couched nearly in Terms of Defiance, to Requisitions of so serious a Nature, I could not but consider as a strong Indication of that Spirit of Independency which the Rajah has for some Years past assumed; and of which indeed I had early observed other manifest Symptoms, both before and from the Instant of my Arrival.

" Under these alarming Appearances of the Rajah's Conduct and Disposition, I conceived myself indispensably obliged to form some immediate and decisive Plan for obviating their Consequences, and for the Preservation of the Company's Rights and Interests in this Zemecdary. To have left him in the full Exercise of Powers he had notoriously abused, and which it was to be apprehended he would employ to the most dangerous Purposes, was totally inconsistent with the Maxims of Justice and Prudence. To divest him entirely of the Zemecdary, though justifiable on the Grounds stated above, would have been attended with an Appearance of Severity, and might have furnished Ground for Constructions unfavourable to the Credit of our Government, and to my own Reputation, from the natural Influence which every Act of Rigour exercised on the Persons of Men who stand in elevated Stations, is apt to impress on the Minds of those who are too remote from the Scene of Action to judge, by any Evidence but of the direct Facts themselves, of their Motives or Propriety.

" Thus circumstanced, and attentive to these opposite Considerations, I laid down the following Plan for my future Proceedings.

" I first directed the Resident to repair to the Rajah, who resided at his House situated on this Side of the River, at the Distance of about Two Miles; and gave him the following Instructions.

" No. 3. Mr. William Markham, Resident at Banaris.

" Sir;

" It is my Order, that you proceed early To-morrow Morning to the House of Rajah Cheit Sing, with your usual Guard, and put him in Arrest. You will require his immediate Submission, informing him that you act under Orders given you by me; and in case of his Refusal, you will wait the Arrival of Two Companies of Sepoys belonging to Major Popham's Detachment, who are directed to follow and assist you in the Execution of this Service. Having secured the Rajah, you will keep him in your Custody until further Orders.

" Banaris, 15th August 1781.

I am, &c."

10 at Night.

" On the next Morning, Mr. Markham went, according to his foregoing Instructions, and was followed by Two Companies of Grenadier Sepoys, belonging to Major Popham's Detachment. The Rajah quietly submitted to the Arrest, and Mr. Markham returned to me with the following Letter from the Rajah, leaving him under the Charge of Lieutenants Stalker, Scott, and Simes. For the Particulars which passed at this Interview, I refer you to the following Report, which Mr. Markham delivered to me on his Return.

" N° 4. Letter from Rajah Cheit Sing.

" At this Time Mr. William Markham being come to me, has informed me that your Highness's Orders are, that I should remain under a Guard. My Protector. I before represented to you on board your Pinnace, that I was the Servant of the Honourable Company, and was ready from my Heart and Soul. Whatever may be your Pleasure, do it with your own Hands. I am your Slave. What Occasion can there be for a Guard?"

" N° 5. Report of Mr. Markham.

" To the Honourable Warren Hastings Esquire, Governot General, &c. &c.

" Honourable Sir,

" I this Morning, in obedience to your Orders of last Night, proceeded with a few of my Orderlies, accompanied by Lieutenant Stalker, to Shewallah Ghaut, the present Residence of Rajah Cheit Sing; and acquainted him, it was your Pleasure he should consider himself in Arrest; that he should order his People to behave in a quiet, orderly Manner, for that any Attempt to rescue him would be attended with his own Destruction. The Rajah submitted quietly to the Arrest, and assured me, that whatever were your Orders, he was ready implicitly to obey; he hoped, that you would allow him a Subsistence; but as for his Zemecdary, his Forts, and his Treasure, he was ready to lay them at your Feet, and his Life if required. He expressed himself much hurt at the Ignominy which he affirmed must be the Consequence of his Confinement, and intreated me to return to you with the foregoing Submission, hoping that you would make Allowances for his Youth and Inexperience; and, in consideration of his Father's Name, release him from his Confinement, as soon as he should prove the Sincerity of his Offers, and himself deserving of your Compassion and Forgiveness.

" Nearly a Quarter of an Hour after this Conversation, Lieutenant Scott arrived with the Two Grenadier Companies of Major Popham's Detachment; to whose and Lieutenant Stalker's Care I left the Rajah, having given them the following Instructions: That they should disarm every Servant of the Rajah's; that they should allow him any such Eight or Ten Kismutgars for the Attendance of his Person, as he should approve of; that these Men should be shewn to the Sepoys, lest any Deceit should be practised; but that they might indulge him in any Request consistent with the Security of his Person.

" I am now returned to acquaint you with my Proceedings, and to receive any further Instructions which you may think necessary.

" Banaris,
16th August 1781.

" I have the Honour to be,
Honourable Sir,
Your most obedient humble Servant,
(Signed) W^m Markham."

" As the Rajah in the above Letter had desired that Mr. Markham might be sent back to him, I was preparing Instructions for that Purpose, when I received another Letter from the Rajah, of which the following is a Translation.

" N^o 6. Letter from the Rajah.

" I am the Servant of the Sirkar, and am ready, from my Heart and Soul, in the Performance of your Orders. My Honour was bestowed on me by your Highness: It depends on you alone to take away, or not to take away, the Country out of my Hands. In case my Honour is not left me, how shall I be equal to the Business of the Sirkar? Whoever, with his Hands in a supplicating Posture, is ready with his Life and Property, what Necessity can there be for him to be dealt with in this Way?"

" From the apparent Despondency in which these Letters were written, I thought it necessary to give the Rajah some Encouragement, and accordingly wrote him the following Answer:

" N^o 7. Letter from the Governor General.

" I have received your Two Araies, from the Hands of Mr. Markham, and understand their Contents. That Gentleman will wait on you in the Afternoon, and explain Particulars. Set your Mind at rest, and do not conceive any Terror or Apprehension."

" To this I received the following Reply:

" N^o 8. Letter from the Rajah.

" Your gracious Letter has been received, and has made me acquainted with your Commands. You order, that in the Afternoon Mr. William Markham will come to me; that I must not suffer any Apprehension to disturb me, but remain at Ease in my Mind. My Protector! wherever you spread your Shadow over my Head, I am entirely free from Concern and Apprehension; and whatever you, who are my Master, shall as such determine, will be right."

" At this Time I had prepared Mr. Markham's Second Instructions; but before he could set out with them, Intelligence came, that large Bodies of armed Men had crossed the River from Ramnagur, and had proceeded to the Rajah's House. What follows is a Scene of such Horror, that it is with the greatest Reluctance I submit to the painful Duty of relating it.—The Guard placed over the Rajah consisted of Two Companies of Grenadier Sepoys, as above-mentioned, from Major Popham's Detachment, commanded by the Officers already named, who were stationed in an enclosed Square, which surrounded the Apartment where the Rajah was. The Resident's Guard had returned with him. It now appeared that these Troops had taken no Ammunition with them. Major Popham sent another Company of Sepoys, under an Officer, with Ammunition, to reinforce and support the First Party. When the latter arrived at the Rajah's House, they found it surrounded, and all the Avenues blockaded, by a Multitude of armed Men, who opposed their Passage. The Minds of this tumultuous Assembly becoming soon inflamed, some of them began to fire upon the Sepoys within the Square; and immediately, as if this had been the concerted Signal, made an instantaneous and fierce Attack on the Sepoys; who, wanting their accustomed Means of Defence, were capable of making but a feeble Resistance, and fell an easy Sacrifice to the superior Numbers of their Assailants, who cut almost every Man of this unfortunate Party to Pieces. The Officers, it is supposed, were the first Victims to their Fury; but not until they had, by astonishing Efforts of Bravery, and undismayed amidst the imminent Dangers which surrounded them, involved a much superior Number of their Enemies in their Fate. In this general Report of them, all Accounts concur, though varying in Circumstances. I yield to my own Feelings, in bestowing this just but unavailing Tribute to these unhappy Gentlemen.

" In the Midst of this Confusion, the Rajah found Means to escape through a Wicket, which opened to the River, and the Banks being exceedingly steep in that Place, he let himself down, by Turbans

Turbands tied together, into a Boat which was waiting for him, and conveyed him to the opposite Shore. Those who had effected his Escape followed him across the River in the same tumultuous Manner in which they had assembled, leaving the Party of our Sepoys who had last arrived, in Possession of the House. On the first Intelligence of this Commotion, I had directed Major Popham to repair immediately to his Camp, which was about Two Miles from the Resident's, and at the same Distance from the Rajah's House, and to march instantly with the Remainder of his Detachment to the Support of the Party.

" This Order was executed with all possible Expedition; but Major Popham arrived too late, and had the Mortification to be a Spectator of the Effects of a Massacre, which he could neither prevent nor revenge. He returned to me immediately, and made the following Report:

" N^o 9. Major Popham's Report.

" Consequent to an Order for the Detachment under my Command to proceed to the Support of the Grenadier Companies under the Order of Lieutenant Stalker, I carried it with as much Expedition as possible to Cheit Sing's Palace, which I found to be entirely evacuated by the Rajah's People, who were already landed on the opposite Side of the River.

" Of the Two Companies commanded by Lieutenant Stalker, very few remained alive, and the Majority of those appeared to be severely wounded. The Bodies of Lieutenants Stalker, Scott, and Simes, were lying within a small Distance of each other, shockingly mangled, and without any Signs of Life.

" It may be necessary to observe, that Lieutenant Birrell was dispatched with One Company of Sepoys upon the first Rumour of the Rajah's coercive Intentions; but the Fate of the Companies which preceded him was decided prior to his being able to enter the Palace. There were, however, some of the Rajah's People, whom he effectually cleared it of. In his Attack he met with some Loss. My utmost Endeavours have hitherto proved insufficient to procure an exact Detail of the Killed and Wounded in this unfortunate Transaction. I thought it necessary to leave a Company with a Subaltern in the Palace.

" Banaris,

(Signed)

Wm. Popham,

" 16th August 1781.

" Major."

" I cannot learn with Certainty what is become of the Rajah; but the prevailing Report is, that he fled from Ramnagar, his usual Residence on the other Side of the River, in the Middle of the Night, and proceeded with his Zenanna and Effects to Lutteespoor, a strong Fort of his, situated about Ten Miles from Chunar. He was accompanied by Sujan Sing, his Brother, and Munnihar Sing, a Relation and Son by Adoption of Rajah Bulwant Sing. He has also had the Precaution to take with him Ranny Goolaub Koor, the Widow of Rajah Bulwant Sing his Father, her Son-in-law Doorghijey Sing, and his Two Sons, her Grandsons. In them he possesses every Member of his Family, who can have any Plea to dispute with him the Right of Inheritance from his Father, Rajah Bulwant Sing, if that were ever a Question; his Right to the Zemeedary being derived exclusively from Sunnuds, which his Father never possessed, but which were first granted to Cheit Sing by the late Vizeer Shujah ud Dowlah through the Influence of our Government in 1773, and since repeated by similar Grants from our Government, when the Sovereignty was ceded to the Company by the present Nabob Assof ud Dowlah.

" I have made Choice of Bauboo Owsan Sing, who held the Office of Dewan during several Years of the Life of Rajah Bulwant Sing, and for a considerable Period since the Accession of the present Rajah, to administer the Revenues and Government of this Country, in the Quality of Naib, until it can be determined to whom the Zemeedary may legally belong, and who may be in a Capacity to receive it.

" To this Effect I have caused a Proclamation to be made through the City of Banaris, and have notified it by circular Perwannahs to all the Zemeedars and Aumils of the Zemeedary.

" To enforce the Execution of these Acts, to maintain Tranquillity and Order in the Country, and protect the Inhabitants, I have ordered One Battalion of Sepoys from Chunagar, the Remainder of Major Popham's Detachment from Mirzapoor, and One Regiment of Sepoys from Dinapore, to march immediately to Banaris.

" The Detail of these Proceedings shall be transmitted to you in a subsequent Letter.—I do not expect they will detain me here much beyond the Time I had prescribed to myself, which was about 7 or 8 Days.

" I have the Honour to be, with the greatest Esteem,

Sir,

Your most obedient, humble Servant,

(Signed)

Warren Hastings.

" P. S. The Delay occasioned in copying this Letter, from its great Length, has afforded me an Opportunity of contradicting the latter Part of it; and I have now the Satisfaction to add, that Ranny Goolaub Koor, together with her Son-in-law Doorghijey Sing, and his Two Sons, are safe at Banaris.—I have this Morning received a Visit from Doorghijey Sing and his eldest Son, Mehipnarain."

I HAVE

I HAVE read over the preceding Letter with great Attention, but can find nothing in it, with the Advantage of recent and better Means of Information, to correct; nor do I know that it requires a Comment. That which I am now about to make, may appear trivial, but I make it, as it impels me by its present Impression. The Rajah in his Reply to the Charges which I had preferred against him, insists much on the many Letters which he wrote to me, praying to be dispensed from his Obedience to the Orders of Government, and my Neglect to answer them; and this Charge against me he repeats in a Manner not the most respectful. I do not know but it may be true. He had received positive Orders, and those had been repeated. It was his Duty to obey them, not to waste my Time with Letters of Excuse, to cavil with my Answers for Evasions, or with my Silence for Delays. His Vakeel was in daily Attendance on me, and knew my Mind sufficiently upon these Subjects; and what he knew, I am sure he wrote to his Master. As to his Plea of Inability to pay the Residue of the Subsidy *without Preparation*, that is, without contriving the Means to raise the Money, after having sacredly promised the full and instant Discharge of it, it was as insolent as we now know too surely that it was most egregiously false.

It was truly reported that Cheit Sing, after his Escape from Shewallah Ghaut, immediately fled to Lutteefpoor, taking his Family and his whole Force with him, except the ordinary Guard, which had been early appropriated in the Time of his Father, Bulwant Sing, under the Command of Gudge-rauge Sing, who had the Title of Kelladar, to the Charge of Ramnagur. This was a vast Pile of irregular but massy Buildings, constructed of Stone, on the River Side, and within the Bed of the River. To its original Strength, Cheit Sing had added Two or Three small Bastions of Stone and Earth: A large Town had grown round it, which rendered the Approach to it suspicious; and the Intricacy of the Apartments and Passages of the Palace was such, that a cautious Officer would hesitate, under almost any Encouragement, to enter it. I had early Information, that it was in effect evacuated; and I believed it; but not being certain, I did not chuse to hazard a Repulse, nor had I a Force equal to any Operation of doubtful Success, much less of Enterprize. My whole Strength had consisted originally of Six Companies of Major Popham's Regiment, about Sixty Sepoys, which I had taken from the Garrison of Buxar, for the Protection of my Boats, and a few Men, who had been newly recruited, for the Resident's Guard; who had yet neither Arms nor Discipline. Of Major Popham's Regiment 82 Men had fallen in the Massacre of Shewallah Ghaut, and 92 were wounded. The whole Number of killed and wounded of every Corps and Denomination was 205.

Every Circumstance of an Event and Time so critical to the present Existence and to the Permanency of the British Interests in India, will merit Notice in a Relation of this Kind. If Cheit Sing's People, after they had effected his Rescue, had proceeded to my Quarters at Mahadew Dafs's Garden, instead of crowding after him in a tumultuous Manner, as they did, in his Passage over the River, it is most probable that my Blood, and that of about Thirty English Gentlemen of my Party, would have been added to the recent Carnage; for they were above 2,000 in Number, furious and daring from the easy Success of their last Attempt; nor could I assemble more than 50 regular and armed Sepoys for my whole Defence. Let it not be thought, that I attribute too much Consequence to my own Person, when I suppose the Fate of the British Empire in India connected with it. Mean as its Substance may be, its accidental Properties were equivalent to those which, like the magical Characters of a Talisman in the Arabian Mythology, formed the Essence of the State itself; Representation, Title, and the Estimate of public Opinion. Such a Stroke as that which I have supposed, would have been universally considered as decisive of the National Fate; every State around it would have started into Arms against it; and every Subject of its own Dominion would, according to their several Abilities, have become its Enemy. What really passed approaching to such an Effect, from the sole Apprehension of such a Cause, more than warrants the Conclusion of what would have followed the Cause itself, had it existed.]

The Effects of the first Consternation having subsided, a Number of Men, reputed 2,000, returned to Ramnagur on the 18th, under the Command of Ramjeeawun, a confidential and domestic Chief of the Family.

The Remainder of Major Popham's Detachment, consisting of Four Companies of Sepoys, One Company of Artillery, and the Company of French Rangers, lay at Mirzapoor.

These were ordered to march immediately to Ramnagur. Lieutenant Colonel Blair was ordered to detach a Battalion of Sepoys from the Garrison of Chunar on the same Destination. It was intended, that as soon as these Corps had joined, and were properly equipped for Service, Major Popham should take the Command, and proceed against the Forces quartered in Ramnagur. I wrote an Order Express to Captain Blair, who commanded the Battalion from Chunar, commanding him to halt at a secure Distance from Ramnagur, and wait for further Orders; and Major Popham, whom I had afterwards vested with the Command in Form, wrote a similar Order to Captain Mayaffie, the Officer commanding the Residue of his Detachment, with an additional Caution to avoid Hostilities, and attend to the Safety of the whole Party, of which, being the senior Officer, he would have the Command till Major Popham assumed it. To ensure the Success of his Operations on that Side, he had chosen a convenient and open Plain on the Shore opposite to Ramnagur, for a Battery of Two Mortars, which were expected from Chunar; nor can there be a Doubt that a Place so peculiarly ill formed for such a Mode of Attack, and in no State of Defence against a wary Assailant, would have proved an

an easy Conquest. Unhappily the ill-timed Ambition of a rash Individual defeated this Plan, and had nearly caused the Destruction of the whole Party. Captain Mayaffre, unwilling, as it appears, for no other possible Motive can be ascribed to so precipitate and irregular a Conduct, to lose the Opportunity which his present and casual Command afforded him, of acquiring a military Reputation, without Plan, without Enquiry, against the Advice of his Officers, and against Order, ordered the Detachment to march into the narrow Lanes of the Town, where they were opposed by the Fire of an Enemy surrounding them unseen, and the Party which entered was in an Instant annihilated, rather than defeated. Twenty-three Men of the Corps of Rangers, with their Commander Captain Doxat, who led the Attack, were killed, and Ten wounded; the 1st Battalion of the 6th Regiment of Sepoys, commanded by Captain Blair, which followed, lost 57 killed and 41 wounded. The whole Loss sustained in all the Corps was 107 killed, and 72 wounded. Captain Mayaffre was killed. The Detachment instantly retreated. The Retreat appears to have been conducted by Captain Blair, and in a Manner that did him much Credit. The Enemy pursued with little Effect, their Numbers gradually lessening till the Detachment arrived within Four Miles of Chunar, which it regained the same Evening.

This unfortunate Affair happened on the Morning of the 20th of August.

I considered myself now as plunged in a decided War, and made every Provision both for its speedy Termination, and for its Confinement to the Scene in which it had opened.

Orders were written, and dispatched in multiplied Copies, to the different military Stations, for Assistance; to the Resident of the Vizeer's Court, for a Supply of Treasure; and to Lieutenant Colonel Blair for an instant Reinforcement. The Detail of these Orders will be found in the Appendix. Very few reached their Destination, the Communication with every Quarter being intercepted, and all the Country in Arms against us; and our Enissaries, unused to this dangerous Service, either made Prisoners, or not daring to execute it, and secreting their Dispatches. Two of my Letters reached Colonel Blair, who ordered Captain M'Dougal, with the 2d Battalion of the 6th Regiment, to march on the next Day, which was the 21st, to Banaris. I now passed an Interval, like that of a dead Calm preceding a violent Storm, and fraught with all the Symptoms of its certain Approach. Successive Notices were brought to me, by various Channels, of Preparations making at Ramnagur for an Assault on my Quarters, which stood in the Midst of the Suburbs of Banaris, and consisted of many detached Buildings within One large Enclosure, surrounded by Houses and Trees, which intercepted every other Prospect. The whole Force which I had left amounted to about 450 Men. The Reports of an intended Assault, which was fixed for that Night, grew stronger as the Day advanced; the Boats on the other Side of the River were seen to be in Motion; and, besides the moral Certainty of the real Existence of such a Design, the obvious Advantages which it presented to the Enemy, who had nothing left to fear, and nothing else to do, precluded all Hesitation but on the Choice of Expedients for defeating it: There were but Two; which were, to wait the Danger and try the Chance of repelling it, or to retreat to a Place of greater Security or of equal Advantage for the Encounter. The confined State of the Place, of which any Description will be insufficient to convey an adequate Idea, rendered the First Plan impracticable: We had not a Force sufficient to guard all the Defences of that Place, nor a Store for the Provisions of a Day, even for that small Number: The only Arguments for it were, the Disgrace of a Flight, and the Consideration of our wounded Sepoys, whom it might leave at the Discretion of a merciless Enemy. The former Consideration yielded to the superior Weight of Necessity; the latter, to the Impossibility of protecting the wounded Men in either Case, as they were quartered at the Distance of near a Mile from Mahadew Das's Garden; nor would it have been possible, in their Condition, and in the Multiplicity of pressing Exigencies which the Resolution to remain would have created, to remove them. Yet these Considerations held me suspended during the whole Course of the Day. In the Evening it became necessary to come to a final Determination, as the Delay of a few Hours might now preclude every Option. I consulted Major Popham; he declared the Defence of that Place impossible, and advised a Retreat to Chunar. There were other Field Officers with me: I asked for their Opinions separately; they clearly and unhesitatingly agreed in the same Advice. My Opinion had been determined from the Instant that I had received the certain Information of Captain Mayaffre's Defeat. I had not yet received the News of Captain M'Dougal's March, nor any Answer to the Letters which I had written to Lieutenant Colonel Blair for a Reinforcement; nor could I know whether these had reached him. I yielded to the Reluctance of a few Minutes. My Resolution was taken, and declared, and Orders given to form our little Corps, that we might have Time to gain the open Country, before the Enemy, having Notice of the Design, could cross and attack us at the Disadvantage of the Streets, Lanes, and broken Ground, which we had to pass before we could reach it. These Orders were issued between Seven and Eight o'Clock, and by Eight the Line was in Motion, having been much retarded and impeded by an incredible Tumult of Servants, Palankeens, and Baggage of every Denomination, which for a Time threatened a total Obstruction to our March; fortunately, this enormous Mass took the wrong Road, which left the right with a free and undisturbed Passage for the Sepoys. On the Way we passed Captain M'Dougal's Battalion, about Nine o'Clock. We sent him timely Notice of our Movement: He turned and joined us. Early the next Morning we arrived at Chunar.

It is proper to mention that as soon as I had formed my Resolution to leave Banaris, I sent my Moonshy to the Nabob Saadut Ally Khan, to inform him of it, and to recommend the wounded Sepoys to his Care; believing that the Rajah, from a Consideration of Policy, would not chuse to molest them, especially as he could have no Motive or Object to it but Revenge, if he would shew a determined Resolution to protect them. The same Request I made to him in Writing after my Arrival at Chunar. I owe him the Justice to attest, that he faithfully and liberally complied with my Request. He visited them himself, and furnished them with Provisions and with Money, and appointed native Surgeons to attend them; and as they were able to bear it he caused them all to be removed to his own Quarters.

Many Reports and Suspicions have prevailed of his being concerned in some of the Designs which were formed against us. I can neither credit nor refute them. The Evil imputed to him is at best doubtful: The Good which he did is certain, and he is entitled to the entire Merit of it.

I avail myself of this Repose in my Narrative to relate another Instance of private Merit in Beneram Pundit, the Vakeel or Minister of the Rajah of Berar, and his Brother Bissumber Pundit. These Persons had come to pay their customary Attendance at my Quarters, about the Time that the Line was already on the March. They immediately joined it. Some Time after I saw and spoke to them, expressing some Concern to find them in that Situation. They were on Foot, without a single Servant or Attendant. I suffered them to accompany me till we came to the Plain and halted. I then thanked them for the Proof which they had shewn of their Attachment, with which I was satisfied, and desired them to return, as they had a large Family in Banaris, which would be exposed by their Continuance with me to the Resentment of Cheit Sing, and perhaps to the worst Effects of it, nor could by their Presence afford me any Service, which could repay what I myself should feel of Compunction for suffering them to be exposed to such Hazards. They refused me in a peremptory Manner, without Compliment, or the Ostentation of performing meritorious Service; and persisted, although I as peremptorily insisted on their Return. I then desired that the elder Brother, who was corpulent, and of a Constitution less equal to Fatigue, would return, and the younger only remain; but could not prevail. A few Days after my Arrival at Chunar, I casually mentioned to them my Distress for Provisions, which was occasioned principally by the Want of Money; for such was our total Loss of Credit, that we could not raise a Sufficiency even for the ordinary Wants of our small Detachment; and it was with great Difficulty, and a Degree of Violence, that Lieutenant Colonel Blair extorted from the Shroffs of Chunar, who had lived and grown opulent under the Protection of the Garrison, the small Sum of 2,500 Rupees, which was distributed among all the Sepoys, and afforded a satisfactory Relief. Beneram Pundit immediately, and with an Eagerness which belonged to his Character, told me that he had a Lack of Rupees in ready Money, lying in his House at Banaris, which I might take, if I could find any Means to receive and convey it to Chunar; and the younger Brother advised, as the simplest Expedient, to send a Battalion of Sepoys for that Purpose, which could easily go and return without Interruption, as there were no Troops stationed near the Town on that Side of the River, offering to accompany it himself, and to bring away the Money. I rejected this Proposal for an obvious Reason, and preferred the Trial of the Means which the Shroffs are supposed to practise for the Conveyance of Money on such Occasions. I accepted a Draft on their Family for the Sum, payable to Contoo Bauboo, my Dewan, who had been left in Banaris, and sent it inclosed in a Letter to him, with Directions to concert with Gopaul Dafs the Means of conveying it to Chunar. This proved ineffectual. Contoo Bauboo could not be found. Gopaul Dafs was seized, I forget at what exact Period of Time, and sent a Prisoner to Lutteespoor, and in a short Time after, Contoo Bauboo was also taken, and conveyed to the same Place of Confinement; I was obliged therefore to wait for a more favourable Opportunity, which never happened while I remained at Chunar. After my Return to Banaris, Beneram again repeated the Offer; I accepted it, and received the whole Amount on the Instant, giving him a Note in the Company's Name, and in the usual Form, for the same.

Examples of Fidelity and national Attachment merit the first Reward of being recorded. In me it is a Duty both of public and private Obligation to relate what I have related. Their Merit is national; for, under whatever Impressions their Assistance was offered, its Object was the national Service; nor can my Person in such an Instance be separated from my public Character.

[On the 20th or 21st, I forget which, I received a Letter from Rajah Cheit Sing, filled with Expressions of slight Concern for what had passed; and Professions, but indefinite and unapplied, of Fidelity. I did not think it becoming to make any Reply to it; and I think I ordered the Bearer of the Letter to be told that it required none.

On the Morning of the 21st, a Person came to Mr. R. Johnson, who was one of my Party, and desired his Interposition with me to receive a Letter and Messenger from the Rajah in the Evening, with Proposals for an Accommodation. The like Application was made by Mirza Abdullah Beg, the Rajah's Vakeel, to my Dewan Contoo Bauboo; and with my Permission, Contoo Bauboo returned to his own House in the Evening, to meet the Vakeel by Appointment for that Purpose; by which Means he missed the Opportunity of going off with me; the Intelligence of my Intention reaching him too late for him to join me, or his infirm State of Body not admitting of his

his taking so hasty a Resolution. The Substance of the Message, as it has been since delivered to me by Abdullah Beg in Writing, was to exculpate himself from any Concern in what had passed, which he charged to the insolent Behaviour of a Servant of the Resident who was present, and the Resentment of his own People; and to profess his Obedience and Submission to my Will in whatever Way I should dictate.]

I regarded this as an Artifice to gain Time, since the Message, whatever were the Substance of it, might as easily have been delivered in the Morning as in the Evening, and the Messenger might have obtained an easy Access to me, without the Intrigue and Mystery of secret and indirect Applications.

I have been since confirmed in this Opinion by the Two following Anecdotes, and their exact Coincidence with the Design to which I attribute that just recited.

On the Morning of the 21st, while Preparations were making to cross Captain M'Dougal's Battalion, Three Men, Two Strangers, and all Volunteers, went successively to Colonel Blair, with Intelligence that a Design was formed to escalate the Fort of Chunar with a numerous Force on that Night; and an earnest Caution, that he should not diminish the Strength of his Garrison.

The Intelligence and Advice delivered by each were expressed nearly in the same Words. When M'Dougal's Battalion was on the Road, Three Men, Strangers and Volunteers, like the former, came to him successively with Intelligence, that a large Body of armed Men lay wait to intercept him at a Village called Beeteeburr, and warned him not to proceed. He proceeded, but did not meet a Man. Lieutenant Colonel Blair caused a more than ordinary Watch to be kept on that Night in the Fort, but not a Man appeared to attack it. Not one of these Emisseries has ever been seen since.

As it had been my original Intention to make but a short Stay at Banaris, the Nabob Vizeer, in the Expectation of my Visit, had already left his Capital, and advanced to a short Distance to meet me. I considered that his Presence would prove of much Service, by its Influence on our Credit; and his Troops, Rabble as they were, might serve to keep the Country in Awe, and to divide the Attention of the Enemy. But these Advantages would invert the Relation of our Alliance, and give him a Superiority in our Meeting, which would defeat the Purposes of it; besides, that I did not think it consistent with the Dignity of our Government to employ a foreign Aid for the Suppression of a Rebellion of its own Subjects: I therefore wrote a Letter to the Nabob, requesting him to return to Lucknow, and remain there until I should have Leisure from the actual Disturbances to prosecute my original Journey. The Nabob refused to comply with this Injunction, and on the first Intimation of my Difficulties resolved to join me; and he executed this Purpose with such apparent Earnestness, that he made his first Stages with no other Attendance than about 100 Horse, and about Four Companies of his Body Guard, with his usual domestic Attendants. As soon as I was informed of this, to remove any unfavourable Impression of my former Letter under the Construction of Distrust, I wrote another to the Nabob, expressing the warmest Sense of such a Testimony of his Attention, apologizing for what I had before written, from an Unwillingness to involve him in a Scene of Trouble, and expressing my Desire to see him at Chunar according to his own Wishes.

In the mean Time I had received several Intimations imputing evil Designs to the Nabob, and warning me to guard myself against them; and especially to be careful that I did not expose myself to the Effects of concealed Treachery, by visiting him without a strong Guard. Many Circumstances favoured this Suspicion. No sooner had the Rebellion of this Zemedyary manifested itself, than its Contagion instantly flew to Fyzabad and the extensive Territory lying on the North of the River Dewa, and known by the Names of Gooruckpoor and Bareech. In the City of Fyzabad, Nawaub Allea and Jenaub Allea, the Mother and Grandmother of the Nabob, openly espoused the Party of Cheit Sing, encouraging and inviting People to enlist for his Service; and their Servants took up Arms against the English. Two Battalions of regular Sepoys in the Vizeer's Service, under the Command of Lieutenant Colonel Hannay, who had been entrusted with the Charge of that District, were attacked and surrounded in various Places, many of them cut to Pieces, and Colonel Hannay himself, encompassed by Multitudes, narrowly escaped the same Fate. The Nabob Vizeer was charged with being privy to the Intrigues which had produced and fomented these Disturbances; and the little Account that he seemed to make of them, served to countenance the Suspicion. I can truly say for myself, that I never afforded it the slightest Degree of Credit; neither his Character, the Tenor of his past Conduct, the Expectations which I knew he entertained of Assistance and Relief from myself, nor his Inability to support himself without the Protection of our Government, allowing me for a Moment to entertain a Thought so injurious to his Fidelity, and so contrary to Probability. Yet I was not perfectly free from Apprehensions similar to such a Suggestion. The Nabob was surrounded by Men base in their Characters, and improvident in their Understandings, his Favourites, and the Companions of his looser Hours. These had every Cause to dread the Effect of my Influence on theirs; and both these, and the Relations of the Family, whose Views of Consequence and Power were intercepted by our Participation in the Administration of his Affairs, entertained a mortal Hatred to our Nation, and openly avowed it. These all joined in prescribing the most pernicious and fatal Counsels to the Nabob, representing this as the Time to deliver himself from what they described as the Yoke of Servitude. Although he firmly rejected all their Persuasions, and I was assured of it, yet he himself was at their Mercy, and it was in their

Power

Power to use both his Authority and his Person for the Perpetration of their own Designs; nor could I use any Precaution to avoid them, which would not appear to proceed from a Distrust of the Nabob himself: I never communicated my Apprehensions, nor acted from them, and had the Satisfaction of receiving the Nabob, of maintaining an Intercourse with him, with every Mark of the most secure and mutual Confidence, and of parting with him with every Demonstration of mutual Satisfaction.

I had before written to Colonel Morgan for Assistance. I now repeated the Order; and, as the Issue of a War, begun with such Disadvantages on our Side, and with the total Loss of the Country, was doubtful, I added an Order to follow with his whole Force, with another to Colonel Sir John Cumming, who commanded at Futtehgur, to supply his Place at Khaunpoor. I considered, that if we were successful with a less Exertion, it would be easy to countermand these Orders before the Troops could have advanced far in the Execution of them; but if we failed of Success, and such Orders were not sent, it might be too late to issue them with any Hope of Effect from them, or even of their being received, since the Communication, which was now very difficult and uncertain, might then be absolutely precluded. None of my Letters reached Colonel Morgan till he had taken his Resolution. Reports were conveyed to him of my Situation and past Misadventures. The sudden Failure of Intelligence convinced him of the Truth of what he heard; and, justly concluding that Orders had been sent which had been stopped in their way to him, he at once resolved to execute their supposed and obvious Purport, and detached a Force superior to that which I had required, to my Assistance. It consisted of Two Regiments of Sepoys, Thirty European Artillery Men, and two Companies of the European Regiment, with Four Six Pounders, One Howitz, Tumbrils, Ammunition, Draft and Carriage Cattle. For the greater Expedition he ordered this Detachment to proceed by Water. The Zeal of the Officers so well seconded that of their Commander, that although it appears that the Resolution was taken on the 29th, the Whole were embarked and in Movement on the 31st of the Month. Major Crabb commanded the Detachment.

A long Interval of Time, which acquired its full Measure from the Magnitude of the Events which were expected to grow out of it, and their uncertain Production, passed in total Ignorance of the Success of the various Orders which had been dispatched, and of the Succours which might be preparing for us. One Half of the Province of Oud was in a State of as complete Rebellion as that of Banaris. Futteh Shah had invaded Sirkar Saurun in our own Province; Bahar supported by Supplies of Money, and encouraged with Promises of more from Cheit Sing; many of the Zemedeers of Bahar had discovered Symptoms of Disaffection; and Reports were made to me of Levies of Men openly entertained for the Enemy from our own Subjects in that Province; even the wretched Subjects of Napaul dared to seize by Force some Villages to which they had a Claim, and had some Time before supplicated the Attention of our Government to it. In my Impatience for Advices I dreaded that every Packet would bring a fresh Accumulation to our Distresses, and the News of Commotions in every Quarter. At this Period a Letter found its Way to me from Colonel Muir, who commanded the Army employed against Mahdajee Sindia, informing me of Overtures made by that Chief for a separate Peace. This had been one of the Objects of my Journey to this Quarter; but eagerly as I had sought such an Event, I was proportionably mortified to learn with what Facility it might have been accomplished, and how unseasonably our domestic Misfortunes had happened to defeat so fair a Prospect of it. I had no Money, nor Credit equal to the Supply of 3,000 Rupees, and, by an unfortunate Train of official Perplexities, which had happened some Time preceding this, both Major Popham's Regiment, the Rangers, and all the Corps of the Garrison of Chunar, were Four Months in Arrears. This was our Situation.

What Force could be spared from the Garrison of Chunar, added to Major Popham's Regiment, was formed into a Detachment under his Command, and encamped on a Plain about a Mile to the Eastward of Chunar. The greatest Strength of the Enemy was collected at Pateeta, about Seven Miles from Chunar, in the same Direction.

On the 27th of August, Lieutenant Polhill arrived with Six Companies of Sepoys belonging to the Nabob Vizeer's Body Guard stationed at Illahabad. He was ordered to encamp on the opposite Bank of the River, for the Purpose of keeping our Communication open with that Shore. On the 29th he attacked and defeated a considerable Body of Troops under the Command of a principal Chief, named Shebaub Khan, who was stationed at a small Fort and Town called Seeker, within Sight of Chunar. The Advantages gained by this Success were the Removal of that Part of the Enemy, and the Acquisition of a considerable Booty in Grain, which had been the Object of the Enterprize.

On the 3d of September, Major Popham detached Captain Blair, with his Battalion, and Two Companies of his own Grenadiers, to surprize the Camp at Pateeta. They marched at Three in the Morning, and arrived at the Ground by Day-light, but found it abandoned, and the Enemy waiting for them in complete Order at about a Mile beyond it. A bloody Action ensued, in which the Enemy, as might be expected from Men flushed with recent Successes, fought with a desperate Intrepidity. Our Sepoys began to break into Disorder, when, by a well-timed and successful Attack of the Enemy's Guns by Two Companies of Grenadiers, headed by Lieutenants Fallon and Birrell, the Fortune of the Day turned in our Favour, and the Field was left to our Possession, with Four Guns and Four Tumbrils. One of the Guns, its Carriage being broken,

was spiked and left. The other Three, with one of the Tumbrils loaded with as much Ammunition as it could carry, were brought away. The other three Tumbrils, with Two hundred Maunds of loose Powder, were blown up. About 1,500 round Shot of different Weights, and mostly hammered, were found and left in a Village adjacent.

Our Loss in this Action was very great; we had 48 Men killed, and 85 wounded: That of the Enemy was unknown, but must have been considerable. Their Guns were well served, and it was from their Execution that we principally suffered. It was remarkable, that they had all the Apparatus of our Artillery, such as Port Fires, Tubes, Chain and Quilted Grape Shot, &c. equal, or nearly equal, to the Production of an European Laboratory; Samples of each Kind will be sent to the Board. Their Artillery did not answer to the Quality of the Stores. One Gun was of Modern Cast, and with its Carriage, which was not bad, said to have been made at Ramnagur. The others were of a very old Cast and Construction, and their Carriages bad and much worn: This was the general Character of all the Ordnance taken in the Course of the War.

Dearly as this Victory was purchased, with the Expenditure of One Fourth of the Party, it was yet a Victory, ascertained and acknowledged; and had its due Effect of impressing the Enemy with Discouragement, and our own Men with Confidence; and it was an Earnest of our future Success in the public Opinion, which, at all Times of high Importance to our political Influence, was especially so at this, in which the Minds of all Men were suspended for the Decision of the Part which they were to take, either in the immediate Contest, or in their own Conduct as dependant on it.

I must not omit in this Place an Instance of Vengeance which marks the sanguinary Character of Cheit Sing, and too strongly proves, that if the other Excesses committed by his People were not authorized by his express Order, they were perpetrated under the Influence of his Example, and the Knowledge of his Inclination.

Fourteen Men of the Corps of Rangers had been left sick at Mirzapoor, when the Remainder of Major Popham's Detachment marched under the Command of Captain Mayasire, to Ramnagur. They were made Prisoners, and sent to Lutteepoor. They arrived there on the 3d of September, about the same Time that News was received of Captain Blair's Action at Pateeta, which happened on that Morning. What Provocation they gave, or whether any, is not known: It is surmised but I know not the Authority, that One of these unhappy Men expressed a Joy on hearing that our Arms had been successful. They were all butchered on the Spot, and almost in the immediate Presence of the Rajah, except one Man, who made a Shift to crawl with a mangled Body to the neighbouring Woods, where he subsisted for a few Days, returned to the Fort, received Mercy, and is still living, and in our Camp*.

On the 10th of September, about Seven in the Morning, Major Crabb's Detachment appeared on the opposite Shore. It consisted of the Corps already related. It had proceeded as far as Illahabad by Water, but much retarded in its Course by strong and adverse Winds; on which Account, the Course of the River also winding very much between Illahabad and Chunar, Major Crabb had prudently disembarked the Men and Stores, and marched them by the High Road, remanding the Boats to Khaunpoor, whither indeed their Return would have been impracticable, had they passed the Boundary of this Zemedyary.

Major Roberts with his Regiment, and a Lack of Rupees in Silver, arrived on the 13th of September from Lucknow, to which Place, as I have before related, he had been ordered to repair for the Guard of my Person, in my intended Visit to that Capital. A further Supply of Fifty thousand Rupees was a few Days after received from the Nabob's Aumil of Illahabad.

The Money was immediately distributed among all the Troops in equal Proportions; and by satisfying their Wants, facilitated Major Popham's Preparatives for the Commencement of active Operations.

I have a Pleasure in testifying, that, distressed as the Sepoys had been for the Want of Money, they had never manifested the least Symptom of Discontent. I had frequently visited the Camp, and passed the Lines each Time in Review; once, and only once, I heard One or Two Voices of Complaint, but neither clamorous nor disrespectful.

On the 11th, the Nabob Vizeer arrived at his Encampment, which had been formed on the opposite Shore. I chose to make him the first Visit, which was performed on the same Morning, and was returned by him on the next.

Hyder Beg, the Nabob's Second Minister, arrived at the same Time. He had been deputed early to meet me at Banaris, and had arrived there about Two Days after my Departure from it. Instead of following me to Chunar, he had suffered himself to be detained by Lalla Bucherauge, the Shroff, who had promised to accompany him with a Supply of Money. In the mean Time, a sudden and great Swell of the River rendered the Burna Nulla, behind which he was encamped, impassable. The Rajah's People at the same Time carried away all the Boats; and after a long and fruitless Negotiation with them for an unmolested Passage, which he did not think it prudent to attempt at the Hazard of an Opposition, he at Length did attempt it, and met none. His

* The Particulars of this Massacre have been since verified, with some unessential Variations from my Relation of it, in an Affidavit of the Survivor, which will be annexed.

Indecision on this Occasion furnished Ground for various Suspensions; but I know, and had Assurances from a Person in my Suite, who had taken Refuge with him, and acquired his Confidence, and on whose Authority I could implicitly rely, that they were wholly devoid of Foundation. I had a pleasing and incontrovertible Evidence of his Fidelity soon after the Conclusion of our Troubles, in a Letter which Captain Blair picked up at Lutteefpoor, and which I shall add to the Appendix, not merely as a Justification of the Minister, but as a Relief to the dry and unentertaining Materials with which it is associated, if it shall convey the same Opinion of the good Sense of the Writer to other Minds, as it has done to mine.

On the 15th Lieutenant Polhill crossed and joined Major Popham's Camp. The whole Detachment now consisted of the following Strength; viz.

One Company of European Grenadiers, commanded by	Captain Grant.
One D ^o D ^o Light Infantry, D ^o —	Captain Harrison.
One D ^o French Rangers, D ^o —	Lieutenant Wade.
Thirty European Artillery Men, D ^o —	Captain Hill.
One Regiment of Sepoys, the 7th D ^o —	Major Crabb.
One D ^o D ^o the 19th D ^o —	Major Balfour.
One D ^o D ^o the 30th D ^o —	Major Roberts.
One D ^o D ^o the 35th D ^o —	Major Popham.
One Battalion, the 1st of 6th Regiment, D ^o —	Captain Blair.
Six Companies of the Nabob's Body Guard, D ^o —	Lieutenant Polhill.

The following is a Catalogue of Cheit Sing's whole Force, which has been since delivered to me by One of his principal Officers; and as it made a Part of a sworn Affidavit, I admit and credit it as genuine. It is certainly not exaggerated.

“ Lift of the established Forces in the Service of Cheit Sing.

“ Cavalry, Sepoys, Matchlock Men, &c.

Cavalry	—	—	—	—	1,700
Select Troops, or Body Guard, Horse and Foot	—	—	—	—	700
Sepoys	—	—	—	—	1,150
Matchlock Men	—	—	—	—	1,800
Attached to Bullam Dafs, Horse 300, Foot 500	—	—	—	—	800
With Soojaun Sing, Cavalry and Infantry 500, with 2 Guns, Sepoys and Artillery Men, 340	—	—	—	—	840
With Munnear Sing, Cavalry and Infantry	—	—	—	—	700
Total established Troops	—	—	—	—	7,690

Troops entertained after the Arrival of Cheit Sing at Lutteefpoor.

First, entertained at Lutteefpoor, Matchlock and Sword Men	—	2,000
Second, Nujjeeb, Sword Men from Lucknow	—	1,000
Total	—	3,000

Troops assembled from different Places.

Horse and Foot with Juggur Dew Sing	—	—	—	—	500
Matchlock Men arrived with Bukht Sing, by Order from the Rajah	—	—	—	—	1,200
With Gomaun Sing, sent for by the Rajah, Matchlock Men	—	—	—	—	500
From the Fougedar of Biddeevee arrived, Matchlock Men	—	—	—	—	1,000
Rajepoots of the Tribe of Rugbunfee from Kurraukut	—	—	—	—	3,000
Arrived with Dillun Sing, Fougedar of Mukurun Badfhahpoor, Matchlock Men	—	—	—	—	1,500
Cavalry and Infantry arrived with Rezza-Cooli Khan, from Mirzapoor	—	—	—	—	300
Rajepoots collected from Agoree and Purwah, by Dia Lutchoo	—	—	—	—	500
Of the Tribe or Cast of Khummaur, collected by Soojaun Sing	—	—	—	—	1,000
Sword and Matchlock Men with Ramjeeawun	—	—	—	—	2,000
	—	—	—	—	11,500

Total Troops in the Service of Cheit Sing — 22,190

“ To which are to be added, Husbandmen and Adventurers who took up Arms voluntarily, making the foregoing Number amount to near Forty thousand.”

These Forces were divided between Lutteefpoor, Pateeta, and Ramnagur. The best reputed of them were at Pateeta, and the great Mafs, composing the last Corps, with a Part of the others,

at

at Lutteefpoor with the Rajah, who had fixed his Residence at that Place since his Flight from Shewallah Ghaut.

Before I proceed, it may not be improper to state the other Resources on which he, not very unreasonably, depended for lengthening the War, if not for Success in the Course of it.

First, his Fortresses, of which there are many, and some of considerable Extent and Strength, erected in various Parts of the Zemcedary. Of these the Two Principal are Bidjeygur and Lutteefpoor. Ramnagar scarcely deserves to be named with them; and Pateeta has been rendered considerable only by its having been a capital Scene of his Opposition, and of our Victories.

Bidjeygur is a Fort erected on the solid Rock of a Hill, rising to the Height of 745 perpendicular Feet from the level Ground. It lies about Fifty Miles in a South-east Direction from Chunar. It was the Depository of all his and his Father's Treasures.

Lutteefpoor is a large Fort, built with Stone, and surrounded by Hills, and, either from Neglect or Design, obstructed from distant View by Trees and thick Shrubs surrounding it. It lies about 14 Miles Eastward from Chunar.

Pateeta is a very large Town, surrounded by a Rampart of Earth, extending to a great Distance beyond it to the Hills adjoining. The Fort itself is a small square Houle of Stone, itself fortified with Four round Towers, and inclosed with a high Rampart, and a Ditch which is in most Parts broad and deep. Its greatest Advantage against an Enemy, to whom Delay was Defeat, was that it was invisible to its Assailants.

Ramnagar has been described already. The other Forts, whatever their Consequence under a different Train of Successes might have been, are of none to the Events of this Narrative.

His next great Resource was his Wealth; on which he looked, and thought himself invincible; an Expression which I borrow from one of the meanest of his Dependants. It is credibly affirmed, that he inherited from his Father, Bulwant Sing, a complete Crore of Rupees, to which it is believed that he made considerable Additions.

The Distresses of our Government, and the Power and Number of its Enemies, may also be reckoned, though negative, yet amongst his Resources. The rest were delutory, which the false and violent Counsels of his Brother Soojaun Sing, and his Buxey Suddanund, imposed on his Inexperience, and the Pliancy and Aptitude of his Disposition.

[It would break the Attention, and perplex the Thread of the Narrative, to relate every distinct Event in its exact Order of Time. I have therefore, in the minuter Points, endeavoured rather to arrange them according to their Relation to the greater, or to find a Place for them in the vacant Intervals and Pauses of it. It may be proper in this Place to mention, that during the Time of Inaction which succeeded to my Arrival at Chunar, I received several Letters from Cheit Sing, besides Letters from Mr. Barnet, and one from Contoo Bauboo, who were both his Prisoners at Lutteefpoor, which were written by his Order. These were all alike in Substance, containing Acknowledgements and Professions of Submission to my Authority; Assertions of his own Innocence, charging the Massacre at Shewallah to the Chubdar, whose Insults provoked the Relentment of his Servants, whom he could not restrain, and claiming a Merit from his having in the Three past Actions been the suffering Party, though successful, and in none the Aggressor; adding general Offers of Accommodation; and in the Letters written by his Order, a pompous Display of his inexhaustible Wealth, the Multitude and Bravery of his Forces, and the devoted Affection and Fidelity of all his Subjects. I refused to answer them, letting him know that they were written with too much Presumption, in the Style of Equality, and with inapplicable Professions, which were no better than none. Some of these Letters will appear in the Appendix; the rest were lost.]

It had been intended to begin our Operations with the Attack of Ramnagar, partly because it had been the Scene of our first Disgrace, and principally because the Repossession of the Capital, which would follow the Capture of Ramnagar, would, it was thought, redeem our Credit with the Public, and be deemed equivalent, in the distant Reports of it, to the complete Recovery of our Authority over the Country; as the Existence of a fugitive Chief in the Wilds and Mountains would be little regarded, when he was expelled from the Capital of his Government and the Seat of his Collections. For this Purpose battering Cannon and Mortars were ordered to Major Popham's Camp, and every other Preparative made for a Siege. This caused the Delay of some Days. In the mean Time a Man, named Bundoo Khan, a Native and Inhabitant of the Town of Chunar, gave Information, that as the Rajah's Force was principally collected at Lutteefpoor and Pateeta, and was daily accumulating, it would become exceedingly difficult to dislodge him, if he was allowed to gain too great Strength there by a Process of detailed and consecutive Operations; that the Approaches both to Pateeta and Lutteefpoor were strongly guarded, and especially those of Lutteefpoor, which he described as unassailable, but with a great and certain Loss, on this Side, the only Road to it lying through Pateeta; and even if carried, untenable from the Strength of the Pass behind it, of which the Enemy would keep Possession in Defiance of all our Efforts, and against any Superiority of Numbers. This Pass takes its Name from the adjacent Village of Suckroot. He advised a divided Plan of Attack, to be executed at the same Point of Time; one on the Fort of Pateeta, the other on the Pass of Suckroot; of which our Forces, coming on it by Surprise, it being unguarded and easier of Access from above, might easily obtain Possession, and by that Means gain the same Advantage over the Garrison of Lutteefpoor, as that would have

over

over us, if we first took Possession of the Fort, with the Command of every Road of Communication, if, which he did not doubt, we succeeded against Pateeta. He offered to conduct the Party which should be destined on the Service against the Pass of Suckroot, by a Road unfrequented and unknown, which he described with a minute, and, as it has since appeared, correct Detail. The Confidence with which he spoke, and the Consistency of his Assertions and Reasonings upon them, acquired a great additional Strength from his former recent Conduct. He had accompanied Captain Blair in both Actions of Ramnagur and Pateeta, and had been very serviceable to that Officer by his Knowledge of the Ground, and by his Advice in the Application of it. His Service on both Occasions had been gratuitous; nor did he profess any Motive for that which he now offered, but the Interest and Safety of a large Family, which depended on our Success.

Major Popham at once saw the Propriety of his Advice, and adopted it. The Evening of the 15th was appointed for the first Execution of the Plan; in the mean Time it was concealed with the most profound Secrecy. As a Security for the Fidelity and Steadiness of Bundoo Khan, he had a Promise of a Jagheer in Perpetuity for himself and his Family, if the Enterprize succeeded. This Engagement has been since amply performed. Major Popham formed his Army into Two Divisions, one destined for the more distant Enterprize, and commanded by Major Crabb. It consisted of the 7th Regiment, Major Crabb's, the First Battalion of the 6th Regiment, Lieutenant Polhill's Six Companies of the Nabob's Body Guard, Four Six-Pounders, and a 5 $\frac{1}{2}$ Inch Howitz. These Corps were told off, and began their March about Eleven that Night. Major Popham began his March with the other Division at about Three o'Clock in the Morning to Pateeta.

On his Arrival there, he found the Works much stronger, and the Approach more hazardous, than he had expected from the Description which had been given of the Place. He applied for the Two Battering Cannon and the Mortars, which had been originally intended for the Attack of Ramnagur, and remanded on the Change of Plan. They were sent, but made no Impression; and he resolved, on the Encouragement of a Five Days Experience, and from the Fear of a Delay operating against the other Part of his Plan, to attempt a Storm. This was ordered, and executed on the Morning of the 20th, with an instant and compleat Success. Major Roberts commanded the Storming Party. The Enemy made a slight Stand at the outer Intrenchment, and fled through the Fort, our Men following without Opposition. A slight Attack was made at this Time on our Camp, but repelled with some Loss on the Part of the Enemy, and none on ours. We lost during the Siege Eleven Men killed, besides Ten wounded.

On the same Morning, Major Crabb having conducted his Division through almost impracticable Ways, arrived at a Village called Lora, which lies about Two Miles from the Pass. Here he found a Body of Men, with Three Guns, posted to oppose him: They made a firm Stand, but were defeated with a considerable Loss; ours was Twelve Men of every Denomination killed, and Twenty-two wounded. The Enemy fled through the Pass to Lutteefpoor; our Detachment followed to the Head of the Pass, and there encamped for the Remainder of the Day.

[The News of these concurrent Successes being conveyed to the Rajah at the same Instant of Time, alarmed him exceedingly for his own personal Safety. His Fears were excited with a more forcible Impression, by the Surprise of the Advance of so great a Force from a Quarter where he had not expected any. With his Face turned towards Chunar, and his whole Attention and that of his People directed to the Movements which were made on that Side, they had no Suspicion of any Design being formed behind them. The first Intelligence which was received of Major Crabb's Party, described it as consisting of the Followers of Owlan Sing, and only Three Companies of our Sepoys; the Hircarrahs who conveyed the News possibly mistaking the advanced Guard for the whole Force, and reporting it accordingly; nor was the real Strength of the Party known, even by that which was detached to oppose it, until the Instant of the Action. This Circumstance was related at the Time, and has been since confirmed to me by an Officer, named Myher, who commanded a small Body of the Rajah's Sepoys and the Guns in the Action. No Design could be more judiciously planned, or more happily executed; even the Impediments and Disappointments which attended it, served but to promote the Coincidence of the final Movements of its Operation with so well-timed an Effect, that the Difference of Time which passed between the Engagement at Lora and the Conquest of Pateeta, was little more than that which would be required by the Difference of the Distances of each from Lutteefpoor, for the News of each Success to reach Lutteefpoor at the same Instant.

Cheit Sing instantly prepared for Flight: His Road to Bidjeygur, which was his last Refuge, lay through the Pass, which he durst not attempt. He left Lutteefpoor about Three or Four in the Afternoon, and making a Circuit over the Hills, gained the High Road at the Distance of some Miles beyond the Pass, and proceeded with a few Followers to the Neighbourhood of Bidjeygur. Some others followed and rejoined him; the rest, left without Orders, staid but to plunder the Place, and evacuated it. The Gaung-wallahs, or Militia, composed of the Husbandmen who had been summoned to attend him, all fled to their own Homes. So rapid was the Report of this Event in its Communication, and so decisive in its Effect, that the Fort of Sutteefgur, which lies about Seven or Eight Miles to the Northward of Lutteefpoor, and the Palace of Ramnagur, were evacuated on the same Evening; and the Allegiance of the whole Country restored as completely

ply in the Course of a few Hours, from a State of universal Revolt to its proper Channel, as if it had never departed from it.]

On the next Morning, the 21st, Major Crabb marched through the Pass to Lutteefpoor, and found it abandoned.

On the same Day Major Morda Crawford, with the 28th Regiment of Sepoys, arrived from Diapoor, and joined the Detachment.

Major Balfour was detached on the Morning of the 22d to Ramnagur, of which he took quiet Possession; no one remained to oppose him.

Being desirous of returning, without Loss of Time, to Banaris, and the Presence of the Nabob Vizeer being more urgently required for the Obol of his Country, we parted on the 25th with every Expression of mutual and real Satisfaction. The annexed Copy of my Letter to the Board, dated the 29th of November, contains the Detail of my Transactions with him.*

On the next Morning I arrived at Ramnagur, and on the 28th returned to my old Quarters at Mahadew Dutt's Garden at Banaris.

To quiet the Minds of the People, Proclamations were issued, offering Pardon to all who should peaceably return to their Obedience, excepting the Persons of Cheit Sing and his Brother Soojaun Sing, whom their late rebellious Conduct, and their Rancour manifested to our Nation in the deliberate Murder of our Soldiers, and even defenceless Passengers, who had the Misfortune to fall into their Hands, had precluded from every Title to Lenity. Among the unhappy Sufferers to whom the above Exception alluded, was a Person of the Name of Hooker, who had followed the Occupation of a Dealer in European Wares to our Camps, and had ventured to pass in his Badgerow, a little after the unhappy Affair of Shewallah, near Ramnagur, where he was seized, and, unarmed as he was, and pleading the Innocence of his Profession, murdered in cold Blood. Soojaun Sing had the Command at that Time in Ramnagur. Two Soldiers also of Major Crabb's Detachment having wandered from the Line were taken and murdered at Gopee Gunge. For this Reason that Town was excepted in the Proclamation, and has since been destroyed.

[My first Care, after my Return to Banaris, was to determine the Succession to the Zemceedary and Raue, vacated by the Forfeiture of Cheit Sing. The Right of the Company to the Disposal of it, certainly had not suffered by the past Events. The Territory had been wholly lost to their Dominion, and wholly conquered by their Arms: Yet the rest of the Family who formerly possessed it had not merited, by any Act of theirs, to be involved in the Punishment of a Man who had been equally their Enemy, and whom they had regarded as the Usurper of their more legal Rights; nor perhaps would it have been prudent to have put the Submission of the People to the Test of a new Species of Dominion. I therefore resolved, in virtue of the full Powers which I possessed from the Board for that Purpose, to bestow it on the next lineal Heir. This was Bauboo Mehipnarain. He was the Grandson of Rajah Bulwant Sing, by a Daughter married to Bauboo Doorgbijey Sing. The Widow of Bulwant Sing, named Ranny Goolaub Koor, was still living, and in an extreme old Age. By the Hindoo Law she might claim the Inheritance. Her Daughter also, the Wife of Doorgbijey Sing, might assert the like Pretension. Had it become a Matter of Contest, I had resolved to leave it to the Decision of the whole Body of the Pundits of Banaris; but this Reference was unnecessary, Doorgbijey Sing yielded up the Pretension of his Wife, and the old Ranny her own, by a Writing sealed with her Name, and acknowledged in the Presence of a confidential Person whom I deputed to her for that Purpose, declaring it to be her Wish and Request, that the Raue might be conferred on her Grandson Mehipnarain. He was accordingly invested, and proclaimed on the 30th of September. His Father Bauboo Doorgbijey Sing was at the same Time invested with the Office of Naib, and is in effect the sole acting Manager. He is about Thirty-five Years of Age, his Son Nineteen.]

I have thought it proper to establish a distinct and independent Magistracy for the Town of Banaris. The Reasons for this Act, the Description of the Office, and of the Officers subordinate to it, are detailed in the subjoined Letter to the Board, dated the 1st of November†. Allee Ibrahim Khan, the Person chosen for this Charge, was duly invested with it on the 20th of October.

On the 5th of November I concluded the Settlement of the Revenue, which was to be paid by Rajah Mehipnarain, being Rs. 33,33,333. 5. 8. for the Current Year, and a perpetual Rent of 40,00,000 Rs. for the future.

The Particulars of this Transaction are contained in my Letter to the Board, dated the 21st November‡.

It has been already mentioned, that soon after my Flight to Chunar, Colonel Muir advised me of Overtures made by Mahdagee Sindia for a separate Peace. I sent to Colonel Muir Credentials and Instructions; and on the 13th of October a Treaty was concluded with Mahdagee Sindia. To confirm and improve the Advantages obtained by it, I deputed Mr. Anderson to Mahdagee Sindia, and at the same Time sent Mr. Chapman, with Bishamber Pundit, on a similar Commission to Moodajee Boofish, the Rajah of Berar. The Particulars of these Transactions, and of

* See Appendix, Part 1, N° 1.

† See Appendix, Part 1, N° 2.

‡ See Appendix, Part 1, N° 3.

my Views relating to them, are contained in the annexed Copies of my Instructions to Colonel Muir, and of my Letter to the Board adjoined, dated the 25th November ||.

The annexed Letter to the Board, dated 22d November, contains also the Circumstances of some new Arrangements made in the Customs †.

On the 8th October, Major Naylor, with the 23d Regiment, having been detached to the Relief of Lieutenant Colonel Hannay, arrived on the Northern Banks of the Dewa, defeated a large Force which had assembled round Colonel Hannay, and entirely dispersed them. The Return of the Nabob soon after effectually restored the Quiet of the Country.

About the same Time a Regiment of Sepoys, under the Command of Major Lucas, defeated and drove Futteh Shah from the District of Sirkar Saurun.

[After having gained Possession of Lutteespoor, Major Popham lost no Time in prosecuting his March to Bidjeygur. Cheit Sing did not wait his Approach, but fled, taking with him as much Treasure as his Elephants and Camels could carry, which has been reported to me to have consisted of One Lack of Mohrs, and Fifteen or Sixteen of Silver *, besides Jewels to an unknown Amount. His Wife, a Woman of an amiable Character, his Mother Pauna, and all the other Women of his Family, and the Survivors of the Family of his Father Bulwant Sing, who were connected with him, were left in the Fort of Bidjeygur. He took the Route of Rewa, and from thence proceeded to Panna, the Capital of Boondelcund, paying and plundered as he passed. He was, by the last Advices, in that Country, the Rajah professing in his Letters to me a Resolution to withdraw his Protection from him, and secretly favouring him.]

The Fortrefs of Bidjeygur surrendered by Capitulation on the 10th of November, yielding to Major Popham the peculiar Credit of having surmounted all the Obstacles which Nature and Art had opposed to the Conquest of Two of the Fortresses of Hindostan, which had been before universally deemed impregnable.

I have now brought my Narrative to its proper Conclusion, at that Point in which all the Movements which form the Subject of it, and all their Objects, appear to have attained their full and complete Termination. I regret the Length to which it has been drawn, and fear that it will appear unreasonable to those who may consider it a Point of Duty to give it a thorough Perusal, and who will scarce fail to reflect, that it contains in Effect the History of but One Month. To myself the Reflection affords a different Sensation, when applied to the Multitude of Events and their Magnitude, comprised within so short an Interval of my publick Life. I have aimed at Brevity, both in the Selection of Facts and in the Narration of them, having omitted every Circumstance, which, though engaging a Portion of my Attention at the Time, had no Connection with the general Train of Events, or Influence on the Character by which they are discriminated from the ordinary Course of Affairs. For the Satisfaction of such as shall have more Patience or Leisure to look into them, I have added as an Appendix, Copies of all the material Papers which have Relation to the Narrative, but which would have increased the Bulk of it, and disturbed the Attention, if inserted in the Body of it.

I have also added Attestations of all the principal Facts and Events, sworn before the Chief Justice, to whose Advice I am obliged for having suggested it. It did not strike my Mind, that Matters of such Notoriety here would require some more authentic Verification of them at Home, than the Recital of the Man whose Reputation is so immediately concerned as mine is in the Judgment which my Superiors, and which the Public at large, will have a Right to form upon it. I am sensible of the Wisdom of the Precaution, and sorry that it was not earlier intimated, that I might have had Time to have collected a larger Fund of Evidence, although I have Reason to be satisfied with the Weight of that which I have obtained. Let it be also remembered, that this Relation itself has been written under the Force of an Obligation as binding as that of an Oath administered and taken in all its legal Forms.

Whatever Judgement may be passed on my particular Conduct, I am yet happy that it has proved the Means of calling forth the inherent Virtue of my Countrymen, and displaying to all the Powers and People of India, both the National Character and the National Constitution, by such Effects as have been unrecorded in their Histories, and are scarce conceivable by their Habits of thinking.

The Suddenness of our Calamities, the Distance of Assistance, the Privation of every present Resource, the manifest Interest which animated and impelled every Corps and every Individual to the Support of the common Cause, and the Rapidity with which they rushed to repel the common Danger, are Facts of universal Observation, and will contribute more effectually to the Permanency of the British Influence and Dominion, than the most splendid Victories obtained over Adversaries of the highest Reputation; because they shew the Harmony which unites all the Parts of our Government, and their augmented Strength under the Compression of external Violence; and will be remembered as a most striking Example, which every Man concerned in its Operations will apply to his own Interests and Feelings, that its greatest and most successful Exertions have arisen out of the most desperate Emergencies, and have fallen, in every such Instance, with the most dreadful Vengeance on the Heads of its Aggressors.

|| See Appendix, Part 1, N^o 4.

† See Appendix, Part 1, N^o 5.

* Amounting to about 400,000 Pounds sterling, exclusive of the Jewels.

For the Sense which I have entertained of the particular Conduct of the Officers who have distinguished themselves in the late Service, I cannot express myself in stronger Terms than those of the following Extract of my Letter to the Board, dated the 29th of September, and Copy of one dated the 7th of October.

Extract of a Letter from the Governor General to the Board, dated the 29th of September 1781.

" I have forbore any particular Comments in this Place, reserving them, where they will be more properly introduced, for my detailed Narrative. Yet I cannot suppress, without a Violence to my own Feelings, the Testimony which is due, especially from me, to the unexampled Zeal and public Spirit of all our Officers, and the wonderful Activity with which these Qualities were displayed on the late Occasion. I have already acknowledged the early Exertions, which were made by Colonel Blair, during my former short and calamitous Residence at Banaris. Of Major Popham I cannot say sufficient to express my Sense of his Services. Though my Letters were every where intercepted, Colonel Morgan, with a Decision and Solicitude that reflect equal Credit upon his Character, detached Major Crabb with his Party to my Assistance, on the first and instant Rumour of my Situation. Colonel Sir John Cumming, with the like Alacrity obeyed the Order for his March to Khaunpoor; as did Colonel Ahmuty, in the immediate Dispatch of Major Crawford and the Troop of Cavalry. The same Spirit animated every Officer of every Corps, and infused itself into the Men under their Command, with an Effect so far exceeding the common Occurrences of human Affairs, that in the complete Space of One Month, this great and valuable Province, which had been suddenly and wholly lost, was in Substance wholly recovered to the British Empire.

I am,
Sir, &c."

Copy of a Letter from the Governor General to the Board, dated the 7th of October.

" I have had frequent Occasion to express, in public Orders, the highest Approbation of the Zeal, Spirit, and good Conduct exerted by all the Officers and Troops, in all the late Operations for reducing this rebellious Zemedyary to Obedience. Several of the Officers have merited and received particular Thanks by Name; and it would give the greatest Satisfaction to distinguish and reward each Individual in Proportion to his Station and Services. But as no Government is possessed of the Means of such diffusive Recompence, it must be unavoidably confined to those whose elevated Rank or peculiar Situation affords them Opportunities of laying immediate Claim to the more honorary or beneficial Testimonies of public Gratitude. But such Testimonies, whilst they are in Possession of Persons in superior Rank, give Hopes to, and excite the Emulation of, those also who are in the inferior: And thus, by well-timed and judicious Rewards, the Prosperity of the State and the Interests of its Servants are united.

" It is on this Principle that I request Permission to solicit the Consideration of the Board, for an honourable Recompence to the Two Officers who have been first in Rank, and most conspicuous in Services, during the Commotions in this District.

" Lieutenant Colonel Blair, who commanded at Chunargur from the Day of the fatal Catastrophe in this Town, manifested a general Zeal for the public Interests, and for my Safety, above all Considerations for his own. Every Requisition which I made to him was instantly complied with; and he sent me a Reinforcement of a Battalion of Sepoys at a Time when he had the strongest Grounds to believe that an Attack would be made on his own Garrison, which it was incapable of sustaining.

" It is perhaps scarce less meritorious in Colonel Blair, to have not only submitted without repining to the Preference of an inferior Officer to a Command of such Importance within the Limits of his own, but to have assisted and co-operated with that Officer, with as much Alacrity as if the Success was to have redounded to his own Honour.

" This is not the first Occasion on which the Attention of the Board has been called to the distinguished Merit and Services of Major Popham. They have been again most happily exerted in his present Command, for the Safety and Interests of the Company, in a very perilous Situation: I have been, in a Manner, an Eye Witness of them. I wish to express, and to shew, my Sense of them, but I want Language for the first, and Means for the latter.

" As, from the Knowledge which I have of the Characters of Lieutenant Colonel Blair and Major Popham, I am certain that the most honourable Reward will be to them the most acceptable, I beg Leave to propose, that they be promoted by Brevet to the Ranks immediately above those which they at present respectively hold; that is, Lieutenant Colonel Blair to the Rank of Colonel, and Major Popham to the Rank of Lieutenant Colonel.

" This Preferment, whilst it is an honourable Distinction to these Officers, cannot be deemed an Injury to their Seniors, as their Promotion will not be thereby retarded: They may be always employed on separate Service, and their Rank will not be affected, when they rise in the regular Course of Succession.

" The Company owe so much to the eminent Services of Major Popham, that I may think it incumbent upon me, at a future Period, to recommend him to their further Consideration.

" Whilst I bestow the just Tribute of Praise due to those Officers who acted upon the Spot, I should be guilty of an unpardonable Neglect, and even Injustice, if I omitted to express my Sense of equal Approbation of the Conduct of others more remote.

" Colonel Morgan, on the first Intelligence which reached him of my Situation, and without waiting for official Information or Authority, in the true Spirit of an able and zealous Officer, detached a very considerable Portion of his Brigade, and all the Supplies of Provisions which he could procure.

" Colonel Sir John Cumming likewise moved with the utmost Diligence and Alacrity, on receiving an Order to occupy the Station of Khaunpoor, in the Room of the Second Brigade. He marched with his whole Force in Fifteen Hours after receiving the Orders, and reached Khaunpoor in Four Days; himself, Officers, and Troops, cheerfully making their utmost Efforts in the common Cause.

" Such have been the spirited and judicious Exertions of your Officers and Troops in Support of the Company's most valuable Rights and Possessions, of the Dignity of their Government, and of the Honour and Safety of their Chief Magistrate: A Conduct which manifests the strongest Attachment and Affection on their Parts, and implies an Observance of Justice and Regard to the Prosperity and Happiness of those who are placed under our Authority, on ours. These are Circumstances which will always afford me the most pleasing Reflections, notwithstanding the Calamities which have produced them.

" Chunar,
1st December 1781.

I have the Honour to be, &c.

Warren Hastings."

P O S T S C R I P T.

I have divided the Appendix into Two Parts; the First consists of Papers which contain my Transactions on Points which are foreign from the immediate Subject of the Narrative, and which having been already separately detailed in Letters addressed to the Board, I have preferred this Method of annexing them to it, having referred to them in the proper Order of their Dates in the Narrative. To these I have added a Letter from the Resident at the Court of the Nabob Vizeer, comprising a distinct Narrative of the Rebellion in the Pergunnahs of Goorukpoor and Bareech, and in the City of Fyzabad, in the Dominions of the Nabob of Owd.

The Second Part contains official Letters and other Papers, which form a connected Series of the Events and Proceedings recorded in the Narrative.

Memorandum.

In this printed Copy I have, for the Sake of Method, entitled the Series of Affidavits the Third Part of the Appendix.

CATALOGUE of the APPENDIX.

PART I.

- N^o 1. A. Letter to the Governor General and Council, dated the 29th of November 1781, respecting the Governor General's Agreement with the Vizeer.
1. B. Copy of the Agreement concluded by the Governor General with the Vizeer, on the 19th of September 1781.
1. C. Minute from the Governor General, explanatory of his Agreement with the Vizeer.
1. D. Copy of the Agreement made by the Vizeer with the Governor General.
1. E. Minute explanatory of the Agreement made by the Vizeer with the Governor General.
1. F. Second Minute from the Governor General, containing his Answers to possible Objections to be made against the several Parts of his Agreement with the Vizeer.
1. G. Letter of Instructions from the Governor General to the Resident at the Vizeer's Court, dated Chunar the 23d September 1781.
2. A. Letter to the Governor General and Council, dated the 1st of November 1781, respecting the Establishment of Police and Courts of Judicature in the Town of Banaris.
2. B. Copy of the Plan for the Establishment of Police and Courts of Judicature in the Town of Banaris.
2. C. Establishment allotted for the different Departments under the Chief Magistrate of Banaris.
3. A. Letter to the Governor General and Council, dated the 21st of November 1781, respecting the Settlement of the Zemeedary of Banaris, &c.
3. B. Abstract Account of the annual Jumma of the Zemeedary of Rajah Cheit Sing, for the Year 1188, including the Jagheers allowed to the Farmers.
3. C. A particular Account of the Revenue of Banaris, &c. for the Year 1184.
3. D. Abstract Account of the Revenue of Banaris, &c. for the Year 1184.
3. E. Account Particulars of the Revenue of Banaris, &c. for the Year 1188.
3. F. Abstract Account of the Revenue of Banaris, &c. for the Year 1188.
3. G. Account of the Revenues of Ghazipoor.
3. H. Form of the general Settlement concluded by the Governor General with Rajah Mehhipnarain.
3. I. Abstract of Allowances paid for the Support of distressed Families, and Men of Piety and Learning; and Copy of the Governor General's Resolution on the Subject.
3. K. Paper relative to a Grant of certain Villages to the Fackeers of the Macbarrah of Shah Cossim Soolimany, and Shah Waffel, at Chunar.
3. L. Translation of the Pottah granted to Rajah Mehhipnarain.
3. M. Copy of the Cobooleeat executed by Rajah Mehhipnarain.
3. N. Kistbundee for the current Year 1189.
3. O. Kistbundee for the Year 1190, and for ever.
3. P. Agreement of Rajah Mehhipnarain for Payment of the Arrears of the Year 1188, from the actual Collections.
3. Q. Paper of Requests presented to the Governor General by Rajah Mehhipnarain, with the Governor General's Answers annexed.
4. A. Copy of a Letter from the Governor General to Colonel Muir, dated the 29th of August 1781.
4. B. D^o from D^o to D^o, dated the 10th of September 1781.
4. C. Extract of a Letter from the Governor General to the Governor General and Council, dated the 22d of October 1781.
4. D. Copy of a Letter to the Governor General and Council, dated the 25th of November 1781, respecting the Appointment of Messrs. Anderson and Chapman.
4. E. Translation of the Treaty concluded by Colonel Muir with Mahdajee Sindia, on the 13th of October 1781.
4. F. Copy of the Instructions given to Mr. Anderson, on the 4th of November 1781.
4. G. Copy of the Instructions given to Mr. Chapman, on the 12th of November 1781.
5. Letter to the Governor General and Council, dated the 22d of November 1781, respecting the new Regulations for the Collection of the Customs within the Zemeedary of Banaris.
6. Letter from the Resident at the Court of the Nabob Vizeer, containing a Relation of the Rebellion in Gooruckpoor, &c.
7. A. Translation of a Sunnud granted to Rajah Cheit Sing, for the Zemeedary of Banaris, &c. by the Governor General and Council.
7. B. Translation of a Pottah for the same.
7. C. Translation of his Cobooleeat for the same.

CATALOGUE of the APPENDIX.

PART II.

N ^o 1.	Minute of Council	—	—	—	on the 9th of July 1778.
2.	Arzee of Rajah Cheit Sing	—	—	—	received the 30th of July 1778.
3.	Minute of Council	—	—	—	of the 26th of August 1779.
4.	Arzee of Rajah Cheit Sing	—	—	—	received the 27th of August 1779.
5.	Arzee of Rajah Cheit Sing	—	—	—	received the 21st of August 1780.
6.	Arzee of Rajah Cheit Sing	—	—	—	received the 21st of August 1780.
7.	Minute of Council	—	—	—	of the 26th of October 1780.
8.	Minute of Council	—	—	—	of the 2d of November 1780.
9.	Letter to Lieutenant Colonel Blair	—	—	—	dated the 6th of August 1781.
10.	Letter to Captain Mayaffre	—	—	—	dated the 6th of August 1781.
11.	Letter to Major Popham	—	—	—	dated the 15th of August 1781.
12.	Letter to Captain Blair	—	—	—	dated the 16th of August 1781.
13.	Letter from Captain Mayaffre	—	—	—	dated the 17th of August 1781.
14.	Letter to Captain Blair	—	—	—	dated the 18th of August 1781.
15.	Letter to Lieutenant Colonel Blair	—	—	—	dated the 18th of August 1781.
16.	Letter from Major Popham	—	—	—	dated the 18th of August 1781.
17.	Retains of killed and wounded at Shewallah	—	—	—	
18.	Letter from Captain Blair	—	—	—	dated the 17th of August 1781.
19.	Letter to Captain Blair	—	—	—	dated the 19th of August 1781.
20.	Letter from Captain Blair	—	—	—	dated the 18th of August 1781.
21.	Substance of an Order	—	—	—	dated the 19th of August 1781.
22.	Letter to Captain Blair	—	—	—	dated the 19th of August 1781.
23.	Letter from Captain Blair	—	—	—	dated the 19th of August 1781.
24.	Letter from Captain Blair	—	—	—	dated the 19th of August 1781.
25.	Letter from Captain Blair	—	—	—	dated the 19th of August 1781.
26.	Letter to Lieutenant Colonel Blair	—	—	—	dated the 20th of August 1781.
27.	Letter to Lieutenant Colonel Blair	—	—	—	dated the 20th of August 1781.
28.	D ^o to D ^o	—	—	—	dated the 20th of August 1781.
29.	Letter to Major Eaton	—	—	—	dated the 20th of August 1781.
30.	Letter to Captain Blair	—	—	—	dated the 20th of August 1781.
31.	Letter from Captain Blair	—	—	—	dated the 20th of August 1781.
32.	Letter from Lieutenant Colonel Blair	—	—	—	dated the 20th of August 1781.
33.	List of English Gentlemen at Banaris	—	—	—	the 21st of August 1781.
34.	Letter from Lieutenant Colonel Blair	—	—	—	dated the 21st of August 1781.
35.	Purport of a Letter from Rajah Cheit Sing.	—	—	—	
36.	General Order	—	—	—	the 22d of August 1781.
37.	Letter to the Nabob Vizeer	—	—	—	dated the 23d of August 1781.
38.	Letter to Major Moses Crawford	—	—	—	dated the 23d of August 1781.
39.	Letter to Mr. Middleton	—	—	—	dated the 23d of August 1781.
40.	Letter from Major Eaton	—	—	—	dated the 19th of August 1781.
41.	Substance of a Letter from Hurry Budder Pundit	—	—	—	received the 24th of August 1781.
42.	Letter to Colonel Morgan	—	—	—	dated the 25th of August 1781.
43.	Letter to Colonel Morgan	—	—	—	dated the 26th of August 1781.
44.	Letter to Colonel Cumming	—	—	—	dated the 26th of August 1781.
45.	Letter to Major Moses Crawford	—	—	—	dated the 26th of August 1781.
46.	General Orders	—	—	—	dated the 26th of August 1781.
47.	Letter from Lieutenant Polhill	—	—	—	dated the 25th of August 1781.
48.	Letter to Major Moses Crawford	—	—	—	dated the 26th of August 1781.
49.	Letter to Lieutenant Polhill	—	—	—	dated the 26th of August 1781.
50.	Letter to Major Eaton	—	—	—	dated the 26th of August 1781.
51.	Letter to Lieutenant Polhill	—	—	—	dated the 27th of August 1781.
52.	Letter to Edward Wheler Esquire	—	—	—	dated the 27th of August 1781.
53.	Letter to Major Moses Crawford, or Lieutenant Colonel Ahmuty	—	—	—	dated the 28th of August 1781.
54.	Letter to Colonel Muir	—	—	—	dated the 29th of August 1781.
55.	Letter to Major James Crawford	—	—	—	dated the 29th of August 1781.
56.	Letter to Colonel James Morgan	—	—	—	dated the 30th of August 1781.
57.	Letter from Major Moses Crawford	—	—	—	dated the 31st of August 1781.
58.	Letter from Lieutenant Polhill	—	—	—	dated the 31st of August 1781.
59.	Letter from Doctor H. Francis Balfour	—	—	—	dated the 28th of August 1781.
60.	Letter to Edward Wheler, Esquire	—	—	—	dated the 31st of August 1781.
61.	Letter to Colonel Morgan	—	—	—	dated the 1st of September 1781.

62. Letter

62.	Letter from Major Popham	—	—	dated the 9d of September 1781.
63.	Letter from Captain Blair	—	—	dated the 4th of September 1781.
64.	Letter to Lieutenant Colonel Blair from Lieutenant Pigott	—	—	dated the 4th of September 1781.
65.	Letter to Major Moses Crawford	—	—	dated the 4th of September 1781.
66.	Letter to Colonel Morgan	—	—	dated the 4th of September 1781.
67.	Letter from Mr. Middleton	—	—	dated the 29th of August 1781.
68.	Letter to Edward Wheeler Esquire	—	—	dated the 4th of September 1781.
69.	Letter from Colonel James Morgan	—	—	dated the 29th of August 1781.
70.	Letter from Colonel Morgan	—	—	dated the 30th of August 1781.
71.	Letter from Major Eaton	—	—	dated the 30th of August 1781.
72.	Arzee from Rajah Cheit Sing	—	—	received the 5th of September 1781.
73.	Letter from Rajah Cheit Sing to Bencram Pundit.	—	—	
74.	Letter from Mr. Barnett	—	—	dated the 5th of September 1781.
75.	Letter to the Nabob Vizeer	—	—	dated the 6th of September 1781.
76.	Letter from Rajah Cheit Sing	—	—	dated the 23d of September 1781.
77.	Letter from Colonel Morgan	—	—	dated the 4th of September 1781.
78.	General Orders	—	—	dated the 8th of September 1781.
79.	Letter to Colonel Morgan	—	—	dated the 8th of September 1781.
80.	Letter from Mr. Græme	—	—	dated the 4th of September 1781.
81.	Letter from Major Moses Crawford	—	—	dated the 9th of September 1781.
82.	Letter to Colonel Muir	—	—	dated the 10th of September 1781.
83.	Letter to Edward Wheeler Esquire	—	—	dated the 11th of September 1781.
84.	Letter to Major Moses Crawford	—	—	dated the 17th of September 1781.
85.	Letter to Colonel Sir John Cumming	—	—	dated the 13th of September 1781.
86.	Letter to Colonel Morgan	—	—	dated the 13th of September 1781.
87.	Letter from Colonel Cumming	—	—	dated the 7th of September 1781.
88.	Letter to Major Popham	—	—	dated the 15th of September 1781.
89.	Letter to Major Eaton	—	—	dated the 18th of September 1781.
90.	Letter to Edward Wheeler Esquire	—	—	dated the 18th of September 1781.
91.	General Orders	—	—	dated the 18th of September 1781.
92.	Letter from Colonel Morgan	—	—	dated the 15th of September 1781.
93.	Letter to Colonel Morgan	—	—	dated the 19th of September 1781.
94.	Letter from Mr. Barnett	—	—	dated the 18th of September 1781.
95.	Letter from Captain Macdonald to Mr. Middleton	—	—	dated the 9th of September 1781.
96.	Letter to Mr. Barnett	—	—	dated the 19th of September 1781.
97.	Letter to Major Popham	—	—	dated the 20th of September 1781.
98.	Letter to Edward Wheeler Esquire	—	—	dated the 20th of September 1781.
99.	Letter from Colonel Ahmuty	—	—	dated the 29th of August 1781.
100.	Letter from Major Popham	—	—	dated the 20th of September 1781.
101.	Journal of a March over the Binde Hills from Chunargur to Lutteefpoor, written by Major Crabb,	—	—	dated from the 15th to the 21st of September 1781.
102.	Letter from Major Crabb	—	—	dated the 25th of September 1781.
103.	Return of Killed and Wounded in the Attack of Pateeta,	—	—	dated the 20th of September 1781.
104.	Letter to Edward Wheeler Esquire	—	—	dated the 22d of September 1781.
105.	Letter from Captain Blair	—	—	dated the 21st of September 1781.
106.	Letter to Major James Crawford	—	—	dated the 22d of September 1781.
107.	Letter to Lieutenant Colonel Ahmuty	—	—	dated the 22d of September 1781.
108.	Letter from Captain Blair—Journal of Major Crabb's Expedition	—	—	dated the 29th of September 1781.
109.	General Orders	—	—	dated the 22d of September 1781.
110.	Letter from Major Popham	—	—	dated the 22d of September 1781.
111.	Letter from Mr Græme, and Enclosure	—	—	dated the 19th of August 1781.
112.	Letter from Major Crabb	—	—	dated the 21st of September 1781.
113.	Letter from Major Crabb	—	—	dated the 21st of September 1781.
114.	Letter from Major Crabb	—	—	dated the 23d of September 1781.
115.	Return of Killed, Wounded, &c. of the Detachment commanded by Major Crabb	—	—	dated the 20th of September 1781.
116.	Letter from Major Balfour	—	—	dated the 23d of September 1781.
117.	General Orders	—	—	dated the 24th of September 1781.
118.	Translation of a Proclamation issued by the Governor General,	—	—	the 25th of September 1781.
119.	Letter to Major Crabb	—	—	dated the 25th of September 1781.
120.	Letter to Colonel Morgan	—	—	dated the 27th of September 1781.
121.	Letter from Colonel Morgan	—	—	dated the 27th of September 1781.
122.	Letter from Mr. Græme	—	—	dated the 21st of October 1781.
123.	Letter from Major Lucas to Mr. Græme	—	—	dated the 18th of October 1781.
124.	Translation of a Letter found in Lutteefpoor	—	—	the 6th of October 1781.
125.	Letter to Edward Wheeler Esquire	—	—	dated the 7th of October 1781.

126.	Letter from Captain Blair	—	—	dated the 8th of October 1781.
127.	Letter to Edward Wheler Esq.	—	—	dated the 13th of October 1781.
128.	Letter from Major Naylor	—	—	dated the 13th of October 1781.
129.	General Orders	—	—	dated the 19th of October 1781.
130.	D'	—	—	dated the 8th of November 1781.
131.	Letter from Dr. Thomas	—	—	dated the 18th of October 1781.

C A T A L O G U E of the A P P E N D I X.

P A R T III.

*List of Affidavits, with the general Subjects of their Contents.*N^o 1. FIRST PARCEL; containing, viz.

- A. Affidavit of Major Eaton, commanding the Fort of Buxar.
- B. Letter from Major Eaton to Thomas Graham Esquire, Resident at Banaris, dated the 23d of May 1779, complaining of the disaffected Conduct of Rajah Cheit Sing and his Officers, and of Enormities committed by the latter.
- C. Letter from Major Eaton to Francis Fowke Esquire, Resident at Banaris, dated the 3d of November 1780, upon the same Subject.
- D. Letter from Mr. Fowke, dated the 8th of November, in answer to the preceding, expressing that he had no Hope of obtaining Redress.
- E. Letter from Major Eaton to Francis Fowke Esquire, dated the 17th of November 1780, representing the Assault made by the Zemeeदार of Beerpoor on Ensign Bassett, and the general Enormities of the Zemeeदars of the Jurisdiction of Rajah Cheit Sing.
- F. Letter from Major Eaton to the Board, more circumstantial, on the same Subjects. Date omitted.

N^o 2. SECOND PARCEL, containing,

- A. Major Palmer's Affidavit of the declared Intentions of the Governor General towards Rajah Cheit Sing.
- B. Attestation of David Anderson Esquire, to the same Effect.

N^o 3. THIRD PARCEL, consisting of Transactions at Buxar and Banaris, between the 9th and 21st August 1781, and the Insurrection of Gooruckpoor, &c.

- A. Affidavit of Captain Davy, Persian Translator to the Governor General.
- B. Declaration of Hyder Beg Khan; Correspondence with Cheit Sing, and other Matters.
- C. Affidavit of Moonshy Gore-Perfud: His Imprisonment and Sufferings: Ladders made for the Assault on the Governor General's Quarters.
- D. Affidavit of Hurryram Pundit: Forces which attended Cheit Sing to Buxar.
- E. Affidavit of Jewan Ram Moonshy: Massacre at Shewallah.
- F. Affidavit of Bihen Sing: His own Sufferings.
- G. Affidavit of Moonshy Patnimul: Proclamation at Banaris against Protection of English Gentlemen, on Pain of Death, and Forfeiture of Property.
- H. Affidavit of Moonshy Gore-Perfud—The same in Substance as the foregoing.
- I. Affidavit of Doond Sing, Commandant—Attempts of the Rajah's Brother to seduce him from the Company's Service, in February 1781.
- K. Affidavit of Moonshy Mahommed Moraud—Mutiny of Captain Williams's Sepoys.
- L. Affidavit of Doond Sing, Commandant—Insurrections in Gooruckpoor, &c.
- M. Affidavit of Ahlaud Sing Subadar—On the same Subject.
- N. Affidavit of Denoo Sing Subadar—The same Subject.
- O. Affidavit of Ram Sing Jemmadar—The same Subject.
- P. Affidavit of Kundeall Sing Commandant—The same Subject.
- Q. Affidavit of Beij Sing Subadar—The same Subject.
- R. Affidavit of Merum Moonshy—The same Subject.
- S. Affidavit of Meer Ahmud Ally Subadar—The same Subject.
- T. Solemn Declaration of Ranny Golaub Koor—Preparations made at Ramnagur for attacking the Governor General in his Quarters—Disaffection of Rajah Cheit Sing.
- U. Affidavit of Gudgerauge Sing Kelladar of Ramnagur—Murder of Mr. Hooker—Design to attack the Governor General's Quarters.

N^o 4. FOURTH PARCEL; viz.

- A. Affidavit of Captain Davy, Persian Translator.
- B. Affidavit of Hindoo Sing Adjutant at Buxar—Attempts of the Rajah's Brother to seduce the Sepoys of the Garrison—Insolences of the Zemeeदars—Force attendant on the Rajah at Buxar—Orders to reduce the Fort of Buxar—Assault made on Ensign Bassett, and other Gentlemen at Beerpoor.

N^o 5.

N° 5. FIFTH PARCEL; viz.

- A. Affidavit of Captain Davy, Persian Translator.
- B. Affidavit of Sheakh Mahommed Aumeen Møyer, Commandant in Cheit Sing's Service—List of Forces which attended the Rajah to Buxar—Massacre of Shewalla—Design to attack the Governor General's Quarters at Banaris—List of Forces in the Service of Rajah Cheit Sing.
- C. Affidavit of Sheakh Houssein Oolla Jemmadar—Massacre of Shewallah.
- D. Affidavit of Bithen Sing Subadar—The same Subject.
- E. Affidavit of Ruggoober Orderly—The same Subject.

N° 6. SIXTH PARCEL; viz.

- A. Affidavit of Captain Davy, Persian Translator.
- B. Affidavit of Contoo Dols—Proclamation issued at Banaris, that whoever protected the English should be punished.

N° 7. SEVENTH PARCEL; viz.

- A. Affidavit of Captain Davy, Persian Translator.
- B. Affidavit of Dadjoo Sing and Gobindram Misser: Attesting the following Perwannahs.
- C. Affidavit of Captain Davy, Persian Translator.
- D. Perwannah from Rajah Cheit Sing to Dadjoo Sing, to join him and cut off the English.
- E. Perwannah from D° to D° to join Futteh Shah.

N° 8. EIGHTH PARCEL; viz.

- A. Affidavit of Colonel Blair, commanding the Fort of Chunar, respecting false Intelligence, intended, as supposed, to prevent his sending Assistance to the Governor General at Banaris.
- B. Affidavit of Captain M^cDougall, commanding a Battalion of Sepoys, detached to the Assistance of the Governor General at Banaris; containing similar and false Intelligence to the same Effect.

N° 9. NINTH PARCEL; containing Affidavits of English Gentlemen of the Insurrection in Gooruckpoor, &c. Their Connection with the Rebellion of Rajah Cheit Sing, and other Matters.

- A. Affidavit of Nathaniel Middleton Esquire—Reports of Perwannahs issued by Cheit Sing, commanding the Destruction of the English, and Letters to the Nabob's Zemeedars, inciting them to rebel—Fidelity and Attachment of the Nabob Vizeer—Murders at Gope Gunjee—The Ministers of the Vizeer's Mother encourage the Disaffection—Assist the levying of Troops at Fyzabad for Cheit Sing.
- B. Affidavit of Lieutenant Colonel Alexander Hannay, commanding a Corps of Sepoys in the Service of the Nabob Vizeer—Hostile Practices of the Begums at Fyzabad—Troops levied there publicly for Cheit Sing, with the Encouragement of the Eunuchs of both the Begums—Actual Departure of 1,000 Levies—Remonstrances made by the Deponent to Bow Begum without Effect—Attack of Captain Gordon by Shumsheer Khan, the Begum's Aumil—General Disaffection of Gooruckpoor, and all the Country lying South of Fyzabad, fomented by the Agents of Cheit Sing, and by Money furnished by him.
- C. Affidavit of Major John M^cDonald, commanding a Battalion of Sepoys in the Vizeer's Service—Insurrections of Gooruckpoor excited by Cheit Sing:—Encouraged by the Begums at Fyzabad—Total Defection of Fyzabad—The Rebellion of Cheit Sing preconcerted.
- D. Affidavit of Captain David Williams, commanding a Battalion of Sepoys in the Vizeer's Service—Insurrections of Gooruckpoor, &c. Mutiny of his own Sepoys.
- E. Affidavit of Captain John Gordon, commanding a Corps of Sepoys in the Nabob Vizeer's Service—Hostile Acts of Shumsheer Khan, Aumil of the Vizeer's Mother;—attributed to the Begum.

N° 10. TENTH PARCEL.

Affidavit of Jean Honore Mordelait, Private of the Company of Chasseurs, relating the Circumstances of the Massacre of his Comrades at Lutteefpoor.

N° 11. ELEVENTH PARCEL.

Affidavit of Lieutenant Colonel Hannay—Plan concerted by the Begums to seduce from him his Followers, and to detain him at Fyzabad.

WARREN HASTINGS.

A P P E N D I X.

P A R T I.

NUM. 1. A.

Letter to the Governor General and Council, dated the 29th of November 1781, respecting the Governor General's Agreement with the Vizeer.

To Edward Wheler and John Macpherson, Esquires, Members of the Council of Fort William.

Gentlemen,

I must have Recourse to your Indulgence, on the Occasion of every Report of Importance, for the Delay in transmitting it. Many are the Causes of these Delays, which I need not enumerate, as I am myself the principal Sufferer by them: Indeed I am almost tempted to say, that I find a Sufficiency for the Occupation of each Day in the Evil thereof, and in a Thousand little Occurrences, less known in a regular Process of Business, which exact their Share of Attention, and pass without any substantial Effect. It was for this principal Reason, that I have again shifted my Residence from Banaris to this Place, where I shall hope for more Leisure to bring up a long Arrears of Business, than it would have been possible for me to have cleared if I had continued there.

I have now to inform you of my Transactions with the Nabob Vizeer, during his short Stay at Chunar: These are comprised in the enclosed Papers, viz *.

N^o 1. Articles of Agreement concluded with the Nabob Vizeer.

1. A and B. Explanation of the above Articles.
2. Agreement of the Nabob Vizeer.
3. Reasons for the above Agreement.
4. My Instructions to the Resident.
5. Orders issued in consequence of the Agreement.

The following are added as explanatory of the foregoing.

6. Estimate of the temporary Brigade.
7. Establishment and Estimate of the Charges of the Nabob Vizeer's Arsenal.
8. Establishment and Estimate of the Expences of Three Battalions of Sepoys, under the Command of Lieutenant Colonel Hannay.
9. Establishment and Estimate of the Expences of the Nabob Vizeer's Body Guard.
10. Establishment and Estimate of Two Battalions of Sepoys, under the Command of Captain Osborne, now of Major Clark.
11. Estimate of the general Disbursements made by Mr. Wombwell, Paymaster and Auditor of British Troops in the Service of the Nabob Vizeer.

I have alluded to the general Reasons which have prevented me from transmitting the Reports of my Proceedings to the Board with Punctuality. I am obliged to add a special Cause for the present Instance; which is, that the Resident having carried with him all the authentic Papers relating to this Business to Lucknow, I have since waited both for them and for the preceding Estimates, which are yet incomplete, though sufficient for general Elucidation.

To the Copy of the Articles of Agreement, N^o 1. I have added the Papers N^o 1. A, B, C. which will fully explain my Reasons for the several Articles; and to these I beg Leave to refer you. Upon the Whole, generally, I have only to observe further, that the Agreement was drawn up from a Series of Requisitions presented to me by the Nabob, to whom I was happy in the Occasion of making such a Return for the uncommon Instance of Fidelity and Attachment which he had recently shewn to our Government, by an instant and unqualified Assent to each Article. This was done verbally in his Presence. And in like Manner I requested and obtained his Acquiescence in the short Condition which followed mine. I considered the Subjects of his Requests as essential to the Reputation of our Government, and no less to our Interest than his; and if the Resident performs his Duty in the Execution of my Instructions, the Nabob's Part of the Engagement, by a singular Inversion of their Purposes, in both Instances will prove of still greater Benefit to him than to our Government, on whose Behalf it was exacted.

Chunar,
29th November 1781.

I have the Honour to be,
with the greatest Esteem,
Gentlemen,
Your most obedient Servant,
Warren Hastings.

* These Enclosures were originally distinguished by the above Marks; only the Four First are here inserted and immediately follow this Letter, with Marks corresponding to the Catalogue. The Rest are of little Consequence, and are omitted.

PART I.

NUM. 1. B.

Copy of the Agreement concluded by the Governor General with the Vizeer, on the 19th of September 1781.

The Nabob Vizeer ul Mummalick Affof ud Dowlah Affof Jah Yeheyah Khan Behader, having repeatedly and urgently represented, that he is unable to support the Expences of the temporary Brigade, Cavalry, and English Officers, with their Battalions, as well as other Gentlemen, who are now paid by him under the Denomination of Sebundy, &c. &c. and having made sundry Requests to that and other Purposes; and as the Constancy and Firmness of his Alliance with the Company entitle him to every Consideration and Relief that may depend upon us; I Warren Hastings Governor General, Imaud ud Dowlah Jelladit Jung Behader, &c. &c. on Behalf of the Governor General and Council, have agreed to the under-mentioned Articles, this 19th Day of September, in the Year of our Lord 1781, corresponding to the last Day of Ramzan 1195 of the Hidjeree.

1st. That the temporary Brigade and Three Regiments of Cavalry, be no longer charged to the Nabob's Account for the Year Fussilee 1189, excepting a Term of Two and an Half Months, which is required for their passing the Nabob's Boundaries; and for which, together with all former Arrears, their usual Pay and Allowances are to be made good: Also the English Officers, with their Sebundy Battalions, and other Gentlemen, excepting the Resident's Office, now upon the Nabob's List, be no longer at his Charge for the Year 1189; the Arrears being paid up with the Addition of Two Months Allowances. The true Meaning of this being, that no more Troops be paid for by the Nabob than the Number of European Infantry, Artillery, and Sepoys agreed for, under the Title of One Brigade, with the late Nabob Shujah ud Dowlah, now paid for at the Rate of 2,60,000 Rupees per Month; to which is now to be added, One Regiment of Sepoys of the present Establishment, expressly allowed for the Purpose of protecting the Office, Treasury, and Person of the Resident at Lucknow; the Pay and Allowances of which are to commence from the 1st of Auglun next, at the Rate of Rupees 25,000 per Month. The Regiment to be relieved every Three Months. The Brigade to be stationed or moved wherever the Nabob shall direct, in the Mode prescribed in the former Treaty with the Nabob Vizeer deceased. And finally, That whenever the Nabob Vizeer shall require a further Aid of Troops from the Company, the Pay and Allowances shall commence from the Day of their passing the Carumnassa. Also, should the Assistance of the Nabob's Troops be required by the Company, their Pay and Allowances, as may then be agreed upon, be allowed during the Time they may serve.

2d. That as great Distress has arisen to the Nabob's Government from the Military Power and Dominion assumed by the Jagheerdars, he be permitted to resume such as he may find necessary, with a Reserve, that all such for the Amount of whose Jagheers the Company are Guarantees, shall, in case of the Resumption of their Lands, be paid the Amount of their net Collections, through the Resident, in ready Money.

3d. That as Fyz-Ooalla Khan has, by his Breach of Treaty, forfeited the Protection of the English Government, and causes, by his Continuance in his present independent State, great Alarm and Detriment to the Nabob, he be permitted, when Time shall suit, to resume his Lands, and pay him in Money, through the Resident, the Amount stipulated by Treaty, after deducting the Amount and Charges of the Troops he stands engaged to furnish by Treaty; which Amount shall be passed to the Account of the Company during the Continuance of the present War.

4th. That no English Resident be appointed to Furruckabad, and the present one recalled.

5th. That the Treaties made between the English and the Nabob Shujah ud Dowlah be ratified between the present Parties, as far as may be consistent with the above-written Articles; and that no Officers, Troops, or others, be put upon the Nabob's Establishment, exclusive of those herein stipulated.

WARREN HASTINGS.

NUM. 1. C.

Minute of the Governor General explanatory of his Agreement with the Vizeer.

Art. 1. That the temporary Brigade and the Regiments of Cavalry be no longer charged to the Nabob's Account for the Year Fussilee 1189, excepting a Term of Two and an Half Months, which is required for their passing the Nabob's Boundaries,

1. The Introduction to the Agreement contains Reasons in Support of this Article, which are incontrovertible. The Vizeer declares, That he is absolutely unable to defray the Expence of these Troops. This Plea alone, if the Fact be admitted, will be allowed to be conclusive. But the Vizeer urges an additional Claim

daries, and for which, together with all former Arrears, their usual Pay and Allowances are to be made good. Also the English Officers with their Sebundy Battalions, and other Gentlemen, excepting the Resident's Office, now upon the Nabob's List, be no longer at his Charge for the Year 1183, the Arrears being paid up with the Addition of Two Months Allowances: The true Meaning of this being, that no more Troops be paid for by the Nabob than the Number of European Infantry, Artillery, and Sepoys agreed for, under the Title of One Brigade, with the late Nabob Shujah ud Dowlah, now paid for at the Rate of 2,60,000 Rupees per Month, to which is now to be added One Regiment of Sepoys of the present Establishment, expressly allowed for the Purpose of protecting the Office, Treasury, and Person of the Resident at Lucknow; the Pay and Allowances of which are to commence from the 1st of Aughun next, at the Rate of Rupees 25,000 per Month. The Regiment to be relieved every Three Months. The Brigade to be stationed or moved wherefoever the Nabob shall direct, in the Mode prescribed in the former Treaty with the Nabob Vizeer deceased. And finally, That whenever the Nabob Vizeer shall require a further Aid of Troops from the Company, the Pay and Allowances shall commence from the Day of their passing the Carumnassa. Also, should the Assistance of the Nabob's Troops be required by the Company, their Pay and Allowances, as may then be agreed upon, be allowed during the Time they may serve.

Claim to this Indulgence, and to every other in the Power of our Government to shew him, from the Fidelity and Attachment which he has invariably manifested to the Company, and which was remarkably exemplified in the late alarming Conjunction, when every Art was employed to shake his Constancy, and to engage him in Measures which would have been productive of the most fatal Consequences.

These Arguments, though confined to the Rights and Interests of the Nabob, will be allowed a complete Justification of this Engagement: But I have others to offer in Support of it, affecting with equal Force the Interests and Security of the Company. To whatever Causes it may be attributed, it is certain that we do not at present reap those Advantages which we promised ourselves, and which we at first derived, from the Institution of the temporary Brigade. The actual Disbursements of it have fallen upon our own Funds; and we support a Body of Troops, established solely for the Defence of the Nabob's Possessions, at our own Expence. It is true, that we charge the Nabob with this Expence; but the large Balance already due from him, shews too justly the little Prospect there was of disengaging ourselves from a Burthen which was daily adding to our Distresses, and must soon become insupportable, although it were granted that the Nabob's Debt thus suffered to accumulate might at some future Period be liquidated. Our immediate Wants are too pressing, and our Means of supplying them too limited, to admit of such a Drain from our Funds, as is caused by the current Disbursements of the temporary Brigade; and their Recall, on that Ground alone, would be indispensable. In short, the Existence of this Corps added considerably to a Debt which might never be realized, and intolerably to our current Expences. The Dissolution of it, in an economical Light, will advance one great Object of my Journey, which was to obtain instant Relief to our pecuniary Distresses, which this Measure will substantially effect as soon as the Reduction of the Corps withdrawn from the Stations of Futtehgur and Daranagur takes place.

Should the Nabob find his own Strength unequal to the Defence of his remote Dominions, and again require our Aid for that Purpose, we shall have a Right to prescribe our own Terms, and may secure the certain and regular Payment of the Troops, instead of receiving a fallacious Credit, and making the actual Expenditure our own.

Norwithstanding the great Benefit which the Company would have derived from such an Augmentation of their Military Force as these Troops constituted, ready to act on any Emergency, prepared and disciplined without any Charge on the Company, as the Institution professed, until their actual Services should be required, I have observed some Evils growing out of the System, which in my Opinion more than counterbalanced those Advantages, had they been realized in their fullest Effect: The remote Stations of those Troops placing the Commanding Officers beyond the Notice and Controul of the Board, afforded too much Opportunity and Temptation for unwarrantable Emoluments, and excited the Contagion of Peculation and Rapacity throughout the whole Army. A most remarkable and incontrovertible Proof of the Prevalence of this Spirit, has been seen in the Court Martial upon Captain Erskine; where the Court, composed of Officers of Rank and respectable Characters, unanimously and

and honorably, *most honorably*, acquitted him, upon an acknowledged Fact, which, in Times of stricter Discipline, would have been deemed a Crime deserving the severest Punishment.

In a political View, the Removal of these Stations will be of important Advantage, by contracting our Frontier, and adding to our interior Security and Defence.

I request that the Board will take these Arguments into their serious Consideration, and, if they are pleased to allow them that Weight which they have had in actuating my Conduct, that they will consult the Commander in Chief upon the Reduction and Distribution to be made of the Corps in question, that they may not remain an unnecessary Burthen upon our Funds; and upon such a Disposition of the Army in general as may be suitable to our present and future Situation in every probable Variation of it, both foreign and domestic.

With respect to the Removal of the Company's Servants, Civil and Military, from the Court and Service of the Vizeer, I was actuated solely by Motives of Justice to him, and a Regard to the Honour of our national Character. In removing those Gentlemen, I diminish my own Influence, as well as that of my Colleagues, by narrowing the Line of Patronage; and I expose myself to Obloquy and Resentment from those who are immediately affected by the Arrangement, and the long Train of their Friends and powerful Patrons. But their Numbers, their Influence, and the enormous Amount of their Salaries, Pensions, and Emoluments, were an intolerable Burthen on the Revenues and Authority of the Vizeer, and exposed us to the Envy and Resentment of the whole Country, by excluding the native Servants and Adherents of the Vizeer from the Rewards of their Services and Attachment.

Art. 2. That, as great Distress has arisen to the Nabob's Government from the military Power and Dominion assumed by the Jagheerdars, he be permitted to resume such as he may find necessary; with a Reserve, that all such for the Amount of whose Jagheers the Company are Guarantees, shall, in case of the Resumption of their Lands, be paid the Amount of their net Collections, through the Resident, in ready Money:

2. The Mischiefs to which the Nabob is exposed, from permitting a Number of rich independent Estates, supporting a Body of military Tenants, to be maintained in the Heart of the Country, are of the same Nature which we have recently experienced from the enormous Wealth and Influence of Rajah Cheit Sing; and in fact, the Nabob did experience them also, and at the same Time, and from the same Causes.

The Jagheers possessed by the Begums have enabled them to give frequent Disturbance to the Nabob's Government; and it can be well attested that they principally excited and supported the late Commotions in Gooruckpoor, &c. in Concert with Cheit Sing, and that they carried their Inveteracy to the Nabob and the English Nation so far, as to aim at our utter Extirpation. By a Despotism so malignant, and a Conduct so offensive, and even dangerous to our Existence, as have been manifested by the Begums, without the smallest Injury or Provocation on our Parts, they have forfeited all Claim to that Protection which we afforded them, in exacting from the Nabob, at the Time that Mr. Bristow assisted him in obtaining 30 Lacks of Rupees from them, a Promise to our Government that those Ladies should enjoy full Possession of their Jagheers unmolested. We have a Right to withdraw this Protection when they are no longer worthy of it, and to provide against their Machinations by a Concession of that Pledge which afforded them the Means of injuring and distressing us.

The Begums will suffer no actual Loss by the Resumptions of the Jagheers, except of an Influence which

which they have invariably employed to the most pernicious Purposes against one State which had conferred, and another which secured and protected them, since it is stipulated that they shall receive the Amount of the net Collections of them in Money by the Hands of our Resident.

These Arguments will apply to the Situation of all the other Jagheerdars, though they may not to their actual Conduct, or Dispositions; but as we are neither engaged for their Possessions, nor have any immediate Connection with them, the Nabob should be left to the Exercise of his own Authority and Pleasure respecting them.

Art. 3. That as Fyz-Oolla Khan has, by his Breach of Treaty, forfeited the Protection of the English Government, and causes, by his Continuance in his present independant State, great Alarm and Detriment to the Nabob, he be permitted, when Time shall suit, to resume his Lands, and pay him in Money, through the Resident, the Amount stipulated by Treaty, after deducting the Amount and Charges of the Troops he stands engaged to furnish by Treaty; which Amount shall be passed to the Account of the Company during the Continuance of the present War.

3. The Conduct of Fyz-Oolla Khan, in refusing the Aid demanded, though not an absolute Breach of Treaty, was evasive and uncandid. The Demand was made for 5,000 Cavalry. The Engagement in the Treaty is literally for 5,000 Horse and Foot. Fyz-Oolla Khan could not be ignorant that we had no Occasion for any Succours of Infantry from him, and that Cavalry could be of the most essential Service: So scrupulous an Attention to literal Expression, when a more liberal Interpretation would have been highly useful and acceptable to us, strongly marks his unfriendly Disposition, though it may not impeach his Fidelity, and leaves him little Claim to any Exertions from us for the Continuance of his Jagheers. But I am of Opinion, that neither the Vizeer's nor the Company's Interests would be promoted by depriving Fyz-Oolla Khan of his Independency; and I have therefore reserved the Execution of this Agreement to an indefinite Term, and our Government may always interpose to prevent any ill Effects from it.

Art. 4. That no English Resident be appointed to Furruckabad, and the present one recalled.

4. I was glad to acquiesce in this Article, as it met my own Wishes of freeing the Nabob Muzuffer Jung from that unwarrantable and oppressive Restraint which he has so long endured from the Usurpations of the Court of Lucknow, and from which he has long and unsuccessfully solicited Relief of our Government. It was a Subject of Difficulty and Delicacy for us to interpose in Favour of Muzuffer Jung's Rights, invaded by the Vizeer; but in permitting a Resident at Furruckabad, for the express Purpose of receiving the Assignments on that Country, transferred to us by the Vizeer, we publicly avowed and gave Sanction to all the Injustice and Injury complained of against the Servants of the Nabob, and opened a Door for new ones against our own.

The Removal of Mr. Shee is an Example which I have recommended to the Nabob to imitate; to leave Muzuffer Jung in the uncontrolled Exercise of his Authority over the small Remains of his Country; and, if that little must be still subject to a Tribute, that he may collect and pay that Tribute himself.

NUM. I. D.

Copy of the Agreement made by the Vizeer with the Governor General.

I having on my Behalf agreed to the Requisitions of the Nabob Vizeer, without Diminution or Reserve, I must now repeat the Request, which I before verbally made to him, that he will be pleased to attend to such Proposals as I shall have to make to him; and to these I expect his Assent the more readily, as they have for their ultimate Object his Interest alone, that of the Company being no further concerned than in the Influence which they will eventually have in the Payment of the Debt due from the Nabob to the Company. I therefore recommend to him to reduce the great

Number

PART I.

Number of his Sebundy and other Troops to regular and complete Establishments; not to be paid by Assignments of Revenue, but in Money from the Treasury; and their Number not to exceed the certain Means of paying them. But as this may be difficult, without making a Separation of the Nabob's public and private Funds, I further recommend, that he receive into his private Purse no more than a fixed Monthly Sum for the Expences of his Person and Household; and that the Remainder of the net Collections be left in a public Treasury, under the Management of his public Ministers, and the Inspection of the Resident, for the Discharge of his Military and Civil Disbursements.

This Advice is not meant to affect the Assignments actually made, and which must be annually renewed for the Payment of the past Debt, and the current Demands of the Company.

Signed and Sealed by the Nabob, accepting and promising to conform to the above Advice.

NUM. I. E.

Minute explanatory of the Agreement made by the Vizeer with the Governor General.

Having on my Behalf agreed to the Requisitions of the Nabob Vizeer, without Diminution or Reserve, I must now repeat the Request which I before verbally made to him, that he will be pleased to attend to such Proposals as I shall have to make to him; and to these I expect his Assent the more readily, as they have for their ultimate Object his Interest alone, that of the Company being no further concerned than in the Influence which they will eventually have in the Payment of the Debt due from the Nabob to the Company. I therefore recommend to him to reduce the great Number of his Sebundy and other Troops to regular and complete Establishments; not to be paid by Assignments of Revenue, but in Money from the Treasury, and their Number not to exceed the certain Means of paying them. But as this may be difficult, without making a Separation of the Nabob's public and private Funds, I further recommend, that he receive into his private Purse no more than a fixed Monthly Sum for the Expences of his Person and Household; and that the Remainder of the net Collections be left in a public Treasury, under the Management of his public Ministers, and the Inspection of the Resident, for the Discharge of his Military and Civil Disbursements.

This Advice is not meant to affect the Assignments actually made, and which must be annually renewed, for the Payment of the past Debt, and the current Demands of the Company.

In this single Requisition, which I have made to the Nabob, I have consulted his Ease, Dignity, and Advantage, as much as the Security of the Company's Property, which is at present, or may be hereafter, in his Hands.

The Numbers and licentious Spirit of the Vizeer's Sebundy and other Troops, without Discipline or Obedience to Command, irregularly paid, and that by the worst Mode, Assignments on the Collections, were disgraceful to the Authority, and dangerous to the Security of the Vizeer, and an intolerable Grievance to the Country.

By reducing this disorderly and useless Rabble, and forming a new Establishment, to be well appointed and commanded, and punctually paid in Money, he will have an Army creditable in Appearance, effectual in Service, protecting instead of distressing his Country, and at a great Saving of Expence.

The latter Part of this Requisition is equally calculated for the Honour and Interest of the Vizeer: To discriminate his Disbursements; to make a separate Provision for each Branch of Expenditure, and limit those for his Household and private Expences to a specific Sum, will introduce Order and Regularity into the Accounts, and enable the Ministers to ascertain and make an early Provision for Deficiencies; and the Participation which is allowed our Resident, in the Inspection of the public Treasure, will secure the Receipts of the Company's Demands; whilst the Influence which our Government will always possess over the public Ministers of the Nabob, and the Authority over their own, will be an effectual Means of securing an attentive and faithful Discharge of their several Trusts, both towards the Company and the Vizeer.

NUM. I. F.

Second Minute of the Governor General, containing his Answers to possible Objections to be made against the several Parts of his Agreement with the Vizeer.

In a great public Measure, constituted on a large and established System, and destructive in its instant Effect of the Interests and Fortunes of many patronized Individuals, I have no Claim to an Exemption from the common Lot of all Innovators; but must expect that Share of Reproach which the Disappointment of some, the Malevolence of others, the general Proneness to Suspicion which prevails in the Bulk of Mankind, and a Difference of Opinion even in the most candid, may lay in Store for me. I think it therefore not sufficient to have displayed the Motives of my Conduct, and the Good which may result from it; but shall proceed to state all the Objections which may be made to it, with my Answer to each. Even this Precaution is liable to its peculiar Objection; to the Charge of a Consciousness of Error, too readily anticipating the Imputation of it, and implying its Existence; and it will be said on this, as it has been said on a thousand

land similar Occasions, that the Defects which I have thus supposed, must have had some Ground for them, or they would not have occurred as such to myself, against an Act of my own, nor excited so uncommon an Eagerness to refute them. To this I reply, That there is no Proposition, which the Wit of Man can devise, which the Wit of Man cannot find plausible, and perhaps even just, Cause to censure, by a false or partial Review of it; and I of all Men may be allowed to dread this Treatment, after having invariably experienced it in every Instance of my public Life.

I shall proceed as above to state the Objections in one Column, and the Answers to them in the opposite.

To the first Article it may be objected; 1st, That while Troubles were gathered and collecting all round us, it was unsafe and imprudent to lessen our Force in the distant Provinces. 2dly, That the internal Safety of the Nabob Vizeer's Dominions will not admit of our immediately withdrawing our Officers from his Service. 3dly, That the temporary Brigade was an Addition to our military Strength, and, if reformed, we should become proportionably weaker. 4thly, That if drawn into our own Provinces, we shall continue indeed equal in Strength, and perhaps stronger; but we incur an additional Expence; and from what Funds is this Expence to be defrayed, our Revenues in Bengal being unequal to the Expences already chargeable upon them?

The Injury sustained by Individuals withdrawn from the Nabob Vizeer's Service, is not likely to be made a public or avowed Objection; but as a private one, it will operate with more Force against the Author of it, than any that can affect the State alone.

To these Objections I shall reply, with a Reference to their numerical Order.

1st. This Argument was much stronger when it was first suggested against the Measure actually depending; when we were engaged in a War with Mahdajee Sindia near our own Borders; when the War in the Carnatic wore so unfavourable an Appearance as to portend the Union of the whole Marattah State and other Powers against us; when a sudden Rebellion had deprived us of every Foot of Land in this Province, and the Contagion had involved the whole Province of Oud in a similar Defection, and was spreading to the Douab and Rohilcund; and when even our own Province of Behar was ready for an Insurrection, without any present Means of Defence.

These Objections I saw and felt in their fullest Force; but I knew, or believed I knew, that with the Suppression of the Rebellion in this Province, every other Evil would be instantly dissipated; that if this was not instantly suppressed, the Disorders would so multiply and gather Strength around us, that neither our Military Strength, nor Resources of Wealth, would suffice to oppose them; and in that desperate State we should require the Exertion of our whole Force in our own Defence, which we had no Right, without a Violation of publick Faith, and even of common Honesty, to withdraw from the Nabob Vizeer's equally pressing Wants, while he paid for it. With respect to the War with Mahdajee Sindia, the same Troops that were then opposed to him would continue of course opposed to him if the War continued; nor could we spare more for other Diversions, if the Nabob Vizeer's Claim to the exclusive Use of the temporary Brigade continued. Thus it will appear, that by withdrawing the temporary Brigade, our Force was not lessened, but in Effect augmented, in the distant Provinces; which is a clear Answer to the Objection.

2dly. This is not our Concern, if the Nabob, whose it is, affirms the contrary: and though it may eventually affect us, we should be less liable to suffer by a remote Contingency, than by the immediate Privation or Dissipation of our own Troops, employed in Anticipation of possible Evils affecting us through him, while our own Exigencies immediately demanded their Exertions. But in Truth, I much suspect the Position; having been too much accustomed to the Tales of hostile Preparations and impending Invasions, against all the Evidence of political Probability, to regard them as other than Phantoms raised for the Purpose of perpetuating or multiplying Commands. Who are the Invaders of the Doaub and Rohilcund? Not the Marattahs; they are fully occupied in the Defence of their own Territories: Not the Sicks; they are engaged with Nudjiff Khan in an unequal War: And Nudjiff Khan, with foreign Concerns, with domestic Intrigues, and the Habits of late-acquired Sloth, and an unwieldy, unpaid, and licentious Army, can have little Leisure or Inclination to embroil himself in new Difficulties

PART I.

Difficulties by a War with the Vizeer and the English.

The 3d Objection I have answered in my Reply to the First.

The 4th I have anticipated in my Enumeration of the Reasons for withdrawing the temporary Brigade; and have shewn, that in respect to the present Time, our certain Means and current Wants, we gain nothing by a Credit in Account for a Charge which is unavoidably our own while the Corps subsists, and which we can only lessen by a Reduction of the Corps itself.

To the 5th I answer, from the Discharge of the Vizeer's Debt to the Company, which the Reduction of his Expences, the Resumption of the Jagheers, and the Improvements recommended in his Administration, ought, and I have no Doubt will, afford him ample Means of discharging.

The last Objection is independent of Reason, which few Men are pleased to admit against their own Interests, their Connections, or the Pride of Patronage. I have acted with the strictest Impartiality. I have spared no Friend of my own, or of my Friends, but have dealt with equal Rigour to all; the Times would not suffer me to dissipate the Benefits of my public Influence to Individuals, and at the same Time provide for the public Wants. I was compelled to make my Choice, and in preferring the latter I have made a light Sacrifice of my own personal Ease to the Safety of the Public, and to my own involved in it. This was the sole Motive that I had, or could have, in it.

Few Objections can be made to the Second Article. It may be suggested, 1st, that it will excite Clamour and Discontent, which in the present Time may be dangerous; and 2dly, that it will be, in a principal Instance, a Breach of our Faith, which is pledged to guarantee a Treaty concluded, through the Means of Mr. Bristow, between the Nabob Vizeer and the Nabob Allea Begum, his Mother; in which it is stipulated, that no subsequent Claim should be made on her Property, or Invasion of her Rights.

To the Third Article I have already stated, answered, and obviated, the only Objection that can be made to it.

Objection to the Fourth Article: That this Condition might more properly have been exacted by Mozuffer Jung than Assof-ud-Dowlah; and that by proceeding from the latter, who is already supposed to have oppressed the former, it may appear as if he was desirous of removing all Check to his Oppressions.

2d. No Effects of any additional Clamour and Discontent, excited by the Resumption of the Jagheers, could exceed those of their actual Defection; and the Begum herself had forfeited all Pretension to the Benefit of the Treaty executed for her Behalf, by having been the first Mover and most busy Actor of the Sedition.

4th. If the Nabob Mozuffer Jung must endure Oppression, and I dare not at this Time propose his total Relief, it concerns the Reputation of our Government to remove our Participation in it. It is a Fact, that Mr. Shee's Authority over the Territory of Furruckabad is in itself as much subversive of that of its lawful Ruler as that of the Vizeer's. Aumils ever was; and is the more oppressive, as the Power from which it is derived is greater. It is a Fact, that the Nabob Mozuffer Jung is equally urgent with the Nabob Vizeer for the Removal of our Resident; and it is my Care, that his Servitude shall not be transferred, if I can help it. The Imbecility of Mozuffer Jung, and the distracted State of his Affairs, will not admit of his being left in the uncontrouled Management of them. He must be in a State of Pupilage to some one; and it is my Desire that a proper Guardian may be selected for him, from the ancient Dependants of

his Family. This was too delicate a Matter to be made the positive Article of a Convention, and may be better converted to its professed Purposes, by the mutual good Understanding which subsists between the Nabob Vizeer and myself, than by a formal Obligation, which it would have been difficult to apply to any precise and determined Point.

The great Objection to the Fifth Article has been answered in the Answer to the last Objection on the First: It may indeed be asked as a further Objection, why we are so scrupulous about Appointments made by our Recommendation, when the Nabob himself is, by the same Agreement, precluded from appointing his own Military Commanders without the Concurrence of the English Resident?

5th. The Difference is infinitely wide between a positive and a negative Recommendation; and the Right of the latter is confined to the Resident alone as a Point of official Duty. If he abuses it, it is at his Peril, and the Nabob has a ready Appeal, and the Encouragement of Experience to expect Redress from such Appeal, on a just Occasion. The Truth is, that the Necessity of the Reservation arose from a too well known Defect in the Nabob's Character. If he shall make Choice of Men of Character and Rank for the Command of Posts in his Army, the Resident has no Right to exercise the Privilege which the Nabob has yielded to him, on the Plea that there are other Men better qualified. If this Check be withdrawn, and the Choice left absolutely to the Nabob, the first Commands in his Army will be filled by the most worthless and abandoned of his Subjects. His late Commander in Chief is a signal and scandalous Instance of this.

NUM. I. G.

Letter of Instructions from the Governor General to the Resident at the Vizeer's Court.

To Mr. Nathaniel Middleton, Resident at the Court of the Nabob Vizeer.

Sir;

Having on the 19th instant entered into certain Engagements with the Nabob Vizeer, tending to relieve his Finances of a Burthen they were no longer able to sustain, with sundry other Clauses, the Execution of which is intrusted to you, I herewith inclose an authentic Copy of the same, for your Guidance. The Nabob, on his Behalf, has subscribed and sealed an Agreement in your Presence, and in the Presence of Mr. Richard Johnson and Hyder Beg Khan, respecting the better Administration of his Affairs; of which I also transmit you an authentic Copy.

To these Papers, and to the Points consequently and necessarily dependent on them, I think it necessary to add the following Instructions, to which I require your most implicit Obedience.

I need scarcely inform you, that my chief Object in my Negotiations with the Nabob has been to induce and assist him to bring his Government and Finances into such Regularity, as to prevent his Alliance from being a Clog instead of an Aid to the Company, and to enable him to discharge his Debt in the shortest Time possible. To this End, the most essential Point is to limit and separate his personal Disbursements from the public Accounts. They must not, in their total annual Amount, exceed what he has received in any of the last Three Years. This Amount, in Twelve equal Parts, should be paid him Monthly out of the First Receipts, and the Remainder of the net Collections placed separately in a public Treasury, from whence his Public Military and Civil Establishment must be paid, under the sole Management and Controul of the Ministers, with your Concurrence. It is of course to be understood that this has no Connection, and is in no Shape to interfere with the Company's Assignments, and the Collections upon them, which are to be conducted as usual: And as by the Addition of the Jagheer Lands, with their Revenues, to the Nabob's regular Collections, his Income will, or ought to be, considerably increased, I shall expect that the Whole of the Excess be appropriated to the Discharge of the Nabob's Debt to the Company.

After settling the Amount of the personal Disbursements of the Nabob Vizeer and his Household, the next Point that will require your Exertions towards the general Arrangement of the public Charges, is to reform the established Muttaiena Troops, reducing them into One established Corps for the whole Service. If this Corps should be brought to consist solely of Cavalry, it would best answer mutual Benefit: leaving no Infantry in the Nabob's Service but what may be necessary for his Body Guard; and to supply the Deficiency, should any occur from such Arrangement, our Infantry may be employed where Infantry are wanted.

The Corps reformed and established, their Pay must be issued from the public Treasury. No Assignments to be in future granted them, and those already issued to be recalled. To complete this, all Numbers above what the real Service may require, or the actual net Receipts may be adequate to the full Payment of, must be disbanded as fast as their Arrears can be paid off.

The

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The Nabob will select and appoint his own Commanders; but if he should nominate improper Persons, such as Men commonly known by the Name of Orderlies, or others deriving their Influence from them, or of known Disaffection to our Government, you are in such Case to remonstrate against it; and if the Vizeer shall persist in his Choice, you are peremptorily, and in my Name, to oppose it, as a Breach of his Agreement.

For the Management of the Collections, the Ministers, with your Concurrence, are to choose all Aumils and Collectors, and in their Choice to be guided by the Responsibility, good Reputation, and known Ability of the Persons they elect, that Charges may, as far as possible, be avoided.

Much is to be said, though little may now suit, upon the Subject of the Distribution of Justice in the Nabob's Dominions. For the present, I limit myself to direct you to urge the Nabob to endeavour gradually, if it cannot be done at once, to establish Courts of Adaulut throughout his Districts; the Darogahs, Mowlavies, and other Officers of which must be selected, as in the Case of the Aumils, by the Ministers, with your Concurrence. The Want of these Courts is equally hurtful to the Revenue, Government, and Reputation of the Nabob.

In consequence of the Disturbances which the rebellious Example of Rajah Cheit Sing has caused in the Nabob Vizeer's Country, I have instructed Colonel Morgan to assist you on the Requisition of the Vizeer, communicated by you to him, or at your own single Application, if any Case of Emergency should make it needful, with such Detachments as may be necessary, exclusive of the Regiment of Sepoys which is stipulated to remain with you at Lucknow. This Power you are not to exercise but in Cases of the most urgent and manifest Necessity. It is directed, that the Regiment ordered for the immediate Protection of your Office and Person at Lucknow, shall be relieved every Three Months, and during its Stay there shall act solely and exclusively under your Orders.

It is finally my positive Order, that you do not permit any British Subject, or others claiming the Name and Protection of the Company, to reside at Lucknow, or within any Part of the Dominions of the Nabob Vizeer, except the Officers and Soldiers of the Army acting in their Duty, and such Persons as are officially appointed to remain there. And that to such as are now at Lucknow, or in any other Part of his Dominions, not falling within the Description of the above Exception, you give due Notice in Writing, that they quit the Country, allowing them a reasonable Time, not exceeding Three Months, to settle their Affairs; and in case of their Refusal, you are to inform the Nabob thereof, that he may use his own Authority to compel them to depart.

I am, Sir,

Your most obedient humble Servant,
Warren Hastings.

Chunar,
23d September 1781.

NUM. 2. A.

Letter to the Governor General and Council, dated the 1st of November 1781, respecting the Establishment of Police and Courts of Judicature in the Town of Banaris.

To Edward Wheler and John Macpherson, Esquires, Members of the Council of Fort William.

Gentlemen,

Having thought it necessary to establish Courts of Judicature for the Protection of the Persons and Property of the Inhabitants of the Town of Banaris, I now do myself the Honour to lay before you a Copy of the Plan on which these Courts are formed. I shall proceed to submit to you the Reasons which have given rise to this Plan, and flatter myself that they will induce you to honour it with your Concurrence and Approbation.

The Town of Banaris has long been deficient in all those Regulations which in populous Places are necessary for the Preservation of Peace and good Order, and the Protection of the Property and Persons of the Inhabitants. Whilst, however, the Sovereignty over it was retained by the Nabob of Owd, some Appearance of public Justice was still preserved, and the Awe of a despotic Prince produced Restraints on the Minds and Actions of Individuals, which bore a Resemblance, however faint, to the Effects of more regular and perfect Institutions. But these Restraints ceased with the Cause which produced them. By the Treaty made with the Nabob Assof-ud-Dowlah, on the 21st of May 1775, the Sovereignty of Banaris was ceded to the Company, and soon after the Cutwallee, or Superintendence of Police, was formally made over by us to the late Rajah. From this Period the Appearance of public Justice was gradually effaced, until at last, without any System of Police, any Courts of Judicature, or any Awe of the sovereign Power, the Inhabitants of Banaris were guilty of Enormities and Crimes which reflected the greatest Disgrace on the Government to which they were subject. The Relations and Dependants of the Rajah, or the Merchants whose Credit was useful in the Payment of the Revenue, might violate the Rights of their Fellow Citizens with Impunity; and the sacred Character of a Bramin, or the high Rank of the Offender, were Considerations which stamped a Pardon on the most flagitious Crimes.

Such was the State in which I found the civil Government of the Town when I arrived at Banaris. All Ranks of People joined in their Representations of the Necessity of a Reformation; and this appeared the more necessary from a Consideration of the Circumstances which are peculiar

to Banaris. Its Temples are held in particular Veneration by the Professors of the Hindoo Religion, who flock to them on occasional Pilgrimages from the most remote Parts of Hindostan; and many who have acquired independent Fortunes retire to close their Days in a Place so eminently esteemed for its Sanctity. It may therefore rather be considered as the Seat of the Hindoo Religion, than the Capital of a Province. But its Inhabitants are not composed of Hindoos only; the former Wealth which flowed into it from the Offerings of Pilgrims, as well as from the Transactions of Exchange, for which its central Situation is peculiarly adapted, has also attracted Numbers of Mahomedans, who still continue to reside in it with their Families. Amongst such a Mixture of Persons, mostly without Employment, of different Countries, and of different Sects and Religions, it is obvious that every Defect of Civil Government must be productive of more than ordinary Evils; and these Evils are propagated in all Quarters of India, to the Discredit of our Government, and to the Hindrance and Discouragement of those who, under more favourable Circumstances, might wish to repair with their Wealth to Banaris.

For these Reasons, after my Return from Chunar, when I began to settle the Affairs of this Province, the Reformation of the Civil Government of the Town of Banaris was one of the first Objects to which I thought it necessary to turn my Attention. The Plan which I have formed is now submitted to your Consideration. You will observe, that I have established Three distinct Departments for the Police and the Civil and Criminal Jurisdiction; and I have put the Whole under the Regulation and Controul of One Chief Magistrate, who is to be subject to the immediate Orders of the Board. It was at first my Intention to have included also under his Authority the Collection of the Revenues and Customs of the Town; but I found that this would give great Discontent to the new Rajah, and might perhaps hurt his Influence in the Management of the Revenues of the rest of the Province; I have therefore left it out; at the same Time I am sensible that it is a Defect which may occasion some Inconveniencies, from the clashing of the Authorities of the Rajah and the Chief Magistrate.

The Person whom I have chosen to fill the important Station of the Chief Magistrate, is Allee Ibrahim Khan, a Man who has long been personally known to myself, and I believe to many Individuals of our Government, and whose Character for Moderation, Disinterestedness, and good Sense, will bear the Test of the strictest Enquiry. On his good Conduct must doubtless, in a great Measure, depend the Success of a Plan which is to take Effect at so remote a Distance from the Seat of our Government; and it is chiefly from the Reliance which I have in him personally, that I have ventured to delegate a Degree of Authority to him, which it would perhaps be unsafe to vest in a Person of a less established Character.

In forming the Establishment, I have calculated the Allowances of the Chief Magistrate and his Officers in Proportion to the Importance and Degree of Trust annexed to their several Employments; and I have fixed them at such Rates, as will set them above the Necessity, and I hope the Temptation, of having Recourse for a Subsistence to the Practices of Corruption.

I have the Honour to be,

Banaris, 1st November 1781.

Gentlemen,

Your most obedient Servant,

Warren Hastings.

NUM. 2. B.

Copy of the Plan for the Establishment of Police and Courts of Judicature in the Town of Banaris.

Whereas the Town of Banaris is, and has been for many Years past, totally deficient in every essential Regulation, usually established in all large and populous Places, for the Maintenance of Peace, and the Security of the Persons and Property of the Inhabitants: And whereas the said Place is the fixed Residence, or occasional Resort, of Persons of all Religions, from every Part of Hindostan and Deccan, and in Effect rather the capital Seat of the Religion of the Hindoos than of the Territory to which it immediately appertains; and from that Consideration alone, demands a more immediate Protection and Attention from the Powers of Government: For these Reasons, the Governor General, in virtue of the Powers vested in him by the Governor General and Council, and in the Name of the East India Company, doth hereby ordain and proclaim:

That a Person shall be invested with the Chief Magistracy of the said Town, with full and complete Authority over every Person Inhabitant or Resident therein, for the Preservation of the Peace and Administration of Justice, with the Title of *Chief Magistrate* of the said Town of Banaris.

And it is further ordained and proclaimed, That to enable him duly to execute the said Duties so assigned him, Three Offices, as herein-after described, shall be established, in the Manner and with the Powers herein-after mentioned.

First. A *Cutwall*; whose Duty it shall be to apprehend Persons who shall be guilty or accused of Murder, Robbery, Burglary, Theft, or any other Acts of Violence committed in the Town of Banaris against the Peace, Persons, or Property of the People, and to deliver over the said Persons to the Court of Criminal Justice, herein-after appointed and described; and to suppress and prevent all Riots and Disturbances in the said Town, with the Power of inflicting immediate Punishment, with Stripes of a Rattan, not exceeding Twenty, on any Offender: For which Purposes as afore said, a certain Number of Pykes or Peons in Monthly Pay, and distinguished by certain known Badges, shall be put under his Charge and Authority by the Chief Magistrate, to patrol the

PART I.

the Streets at such Times as he shall appoint, and to be occasionally employed in executing the other Services of his Office. And the said Cutwall shall receive his Appointment from the Chief Magistrate, who shall also have the Power of dismissing him and appointing another, and of dismissing any of the Officers employed under him. And the said Cutwall is required to obey all Orders, relative to the Duties aforesaid, which he shall receive from the Chief Magistrate.

Secondly. One criminal Court or *Fougedary Adaulut*; which shall be composed of One Darogah and Three Mowlavies, Men of approved Integrity, and Skill in the Knowledge of the Mahomedan Laws, for the Trial of all Persons who shall be brought before them, and accused of Murder, Highway Robbery, Burglary, Theft, or any other Acts of Violence against the Peace, Persons, or Property of the People, committed in the said Town. And the Sooruthall and Futwah, or Proceedings and Sentence of the said Court, shall, on the Close of every Trial, be laid before the Chief Magistrate; who, after a due Examination thereof, shall return the same to the Darogah and Mowlavies of the said Court, with his Warrant for carrying the same into Execution; and the Darogah and Mowlavies of the said Court are required and commanded to carry the same into Execution. And the said Darogah and Mowlavies shall receive their Appointments from the Chief Magistrate, who shall also have the Power of dismissing them, and appointing others in their Room; and the Chief Magistrate shall have Power to establish Rules of Process for the said Court, which Rules the said Darogah and Mowlavies are hereby required to obey.

Thirdly. One Civil Court, or *Dewanny Adaulut*; which shall be composed of One President or Darogah, and Three inferior Judges, being Men of known Integrity and Understanding, who shall be chosen from among the Inhabitants of the said Town; for the Trial and Decision of all Debts, Pledges, Mortgages, disputed Accounts, Transfers of Property, Rights of Neighbourhood, contested Boundaries, Rights of Marriage and Claims of Inheritance, and of all other Claims of Property, whether real or personal, according to the Principles of natural Justice, in all Cases not depending on the particular and prescribed Laws and Institutes of the Parties; and in all Cases which shall depend on the particular Laws and Institutes of the Parties, the said President and Judges shall first determine on the Facts, as ascertained by the Evidence before them, and shall adjudge the Right as established by those Facts, according to the respective Laws and Institutes of the Parties, whether they be Mussulmen or Hindoos; and for this Purpose they shall be assisted by Two Mussulmen versed in the Sherrah or Mahomedan Law, and Two Pundits versed in the Pootee or Code of Justice instituted for the Professors of the Hindoo Religion, whose Opinions shall be consulted and taken in all Cases referable to them, as aforesaid. And it is further ordained, That in all Cases wherein the Judges shall not agree in One Judgment, their Opinions shall be severally delivered and recorded, and the greater Number of Opinions on One Point shall be taken and considered as the complete Judgment of the Court thereon; and if the Number of Opinions shall be equal, that of the President shall be taken and deemed as equivalent to Two Opinions, and the Judgment of the Court shall be passed accordingly; and their Judgment shall be final in all Causes of which the original Amount or Matter in Suit shall not exceed One thousand Rupees: And in all Causes of which the original Amount or Matter in Suit shall exceed One thousand Rupees, it shall be allowable to appeal from the Judgment of the said Court, within the limited Time of One Month from the Date of the Judgment, to the Chief Magistrate, who shall have Power to revise the same, or, if he shall think fit, to try the Causes again, with such further Evidence as the Parties shall bring before him, sufficient Reasons, to his Satisfaction, being given for their not having been before produced; and either to confirm or reverse the former Judgment, or to pass a new Judgment on the Cause; and his Judgment shall be final and conclusive. And he is hereby required and commanded, That the Chief Magistrate, and the President and Judges of the said Court of Dewanny Adaulut, shall keep Records of their respective Proceedings, which Records shall be admitted as Evidence in all future Causes. And the President and Judges of the said Dewanny Adaulut shall receive their Appointments from the Chief Magistrate, who shall also have the Power of dismissing them and appointing others in their Room; and the Chief Magistrate shall have the Power to establish Rules of Process for the said Court, which Rules the President and Judges of the said Court are hereby required to obey.

And it is further required and commanded, That the Chief Magistrate do transmit to the Governor General and Council, Monthly, Copies of his Proceedings, and Reports of all Persons appointed or dismissed in the superior Offices; and of all new Regulations established by him as aforesaid; and of all Rules of Process instituted for the Two Courts of Fougedary and Dewanny Adaulut, and in general of all other Matters of Consequence, which shall relate either to the general State of the Town, or to the several Branches of his Department; and shall obey all such Orders as he shall receive from the Governor General and Council. Although the Authority of the Chief Magistrate is, for the Purposes of this Institution, restricted to the Limits of Banaris; yet, that the Ends of it may not be defeated by Offenders flying from his Jurisdiction beyond those Limits, it is hereby explained and declared, That if any Person shall be guilty of Offences within the Town of Banaris, and shall escape beyond the Limits of the said Town, the Chief Magistrate, or his Officers, shall have Power to apprehend, with a written Warrant, and bring them to Justice; and it is required and commanded, That the Zameedars, Aumils, or other Officers of the District into which such Offenders shall be so pursued, do assist the Officers of the Chief Magistrate in ap-

prehending the said Offenders; and that it shall be also lawful for the Officers of the Judges of the Two Courts of Justice, to require and compel the Attendance of Witnesses living beyond the said Districts, Reason being first shewn, to the Satisfaction of the Judges of the said Court, that the Evidence of the said Witnesses is necessary.

And it is hereby further ordained and proclaimed by the Governor General, That Ally Ibrahim Khan be appointed, and that he is accordingly from this Date appointed the First Chief Magistrate of the Town of Banaris.

NUM. 2. C.

ESTABLISHMENT allotted for the different Departments under the Chief Magistrate of Banaris.

Chief Magistrate	—	—	—	—	2,500 — R ^a
Naib	—	—	—	—	400 —

DEWANNY ADAULT.

Darogah	—	—	—	—	500 —
3 Moonshis	—	—	at 250 each	—	750 —
2 Mowlavies	—	—	100	—	200 —
2 Pundits	—	—	50	—	100 —
Peshcar	—	—	—	—	50 —
3 Moonshies	—	—	—	—	70 —
6 Mohrirs	—	—	15	—	90 —
Nazir	—	—	—	—	20 —
2 Mirdads	—	—	10	—	20 —
50 Peons	—	—	4	—	200 —
Keeper of the Prison	—	—	—	—	15 —
2 Aumeens	—	—	30	—	60 —
2 Dufferbunds	—	—	4	—	8 —
2 Ferashees	—	—	4	—	8 —
2 Masolchies	—	—	3	—	6 —
2 Harries or Sweepers	—	—	—	—	6 —
Paper and Ink	—	—	—	—	14 —
					<hr/> 2,117 —

FOUGEDARY ADAULT.

Darogah	—	—	—	—	400 —
3 Mowlavies	—	—	at 200 each	—	600 —
Peshcar	—	—	—	—	50 —
3 Moonshies	—	—	30	—	90 —
4 Mohrirs	—	—	15	—	60 —
Mirdah	—	—	—	—	10 —
Naib Mirdah	—	—	—	—	6 —
40 Peons	—	—	4	—	160 —
Keeper of the Prison	—	—	—	—	15 —
Mullah for administering Oaths	—	—	—	—	7 —
Brahmin for D ^a	—	—	—	—	5 —
2 Dufferbunds	—	—	4	—	8 —
2 Ferashees	—	—	4	—	8 —
2 Masolchies	—	—	3	—	6 —
2 Sweepers	—	—	3	—	6 —
Paper and Ink	—	—	—	—	14 —
					<hr/> 1,445 —
Carried forward Rupees					<hr/> 6,462 —

CUTWALLY DEPARTMENT

	Brought forward Rupees		
Cutwall	—	—	150 —
Naib	—	—	60 —
Mooshrif	—	—	25 —
Vakeel	—	—	20 —
Choky-Nevees	—	—	7 —
Akbar-Nevees	—	—	7 —
2 Mohrirs for the Prison	at 5 each	—	10 —
Tahveeldar Maulkhanah	—	—	10 —
5 Goozerbauns	10	—	50 —
4 Hircarrahs	5	—	20 —
Feraih	—	—	3 —
Surgeon	—	—	10 —
6 Sengariahs	2	—	12 —
2 Nuccarchees	3	—	6 —
Nuckeeb	—	—	4 —
2 Beesties	4	—	8 —
Jellad	—	—	2 - 8
Grave Digger	—	—	2 - 8
Tazeeanah-Burdar	—	—	2 —
Oil	—	—	5 —
Paper and Ink	—	—	2 - 8
200 Peons and Watchmen	4	—	800 —
2 Jemmadars of Peons	10	—	20 —
5 Duffadars	7	—	35 —
Vakeel at Calcutta, with Moonchies, &c.	—	—	300 —
			<hr/> 1,573 - 8
			<hr/> 8,035 - 8
		Occasional Charges	<hr/> 100 —
		Banaris Sicca Rupees	<hr/> 8,135 - 8

[Num. 3. A.]

Letter to the Governor General and Council, dated the 21st of November 1781, respecting the Settlement of the Zemeedary of Banaris, &c.

To Edward Wheler and John M'Pherson, Esquires, Members of the Council of Fort William.

Gentlemen,

In a short Letter, dated the 5th of this Month, I informed you, that I had on that Day concluded the Settlement of this Zemeedary, for the fixt and perpetual yearly Jummah of Forty Lacks of Rupees, with a Deduction of Rupees 6,66,666 - 10 - 10, being the Amount of Two Months Collections, estimated in equal Divisions for the current Year. I have now the Honour to send you the following Papers, which comprehend all the Accounts and Deeds appertaining to this Transaction.]

- Num. 3. B. Abstract Account of the Annual Jummah or Rent Roll of the Zemeedary of Rajah Cheit Sing, according to the Pottahs for the last Year 1188, including the Jagheers allowed to the Farmers; delivered to me by the Resident.
- Num. 3. C. A particular Account of the Revenues of Banaris, &c. for the Year 1184, delivered to me by the Rajah through his Naib.
- Num. 3. D. Abstract Account of Ditto for Ditto, Ditto.
- Num. 3. E. An Account Particulars of the Revenue of Banaris, &c. for the Year 1188, by Ditto.
- Num. 3. F. Abstract Account of Ditto for Ditto, by Ditto.
- Num. 3. G. Account of the Revenues of Ghauzipoor, by a Person formerly in Office at that Place.
- Num. 3. H. Form of the general Settlement concluded with Rajah Mehipnarain.
- Num. 3. I. Abstract of Allowances paid for the Support of distressed Families and Men of Piety and Learning, and Copy of my Resolution on this Subject.
- Num. 3. K. Paper relative to a Grant of certain Villages to the Fackeers of the Macbarrah of Shah Cossim Soolimany, and Shah Waffal, at Chunar.
- Num. 3. L. Translation of the Pottah granted to Rajah Mehipnarain, conformable to N° 3. H.

Num. 3.

- Num. 3. M. Copy of the Cobooleeatf conformable to the above, executed by Rajah Mehipnarain.
- Num. 3. N. Kistbundee for the current Year 1189.
- Num. 3. O. Kistbundee for the Year 1190, and for ever.
- Num. 3. P. Agreement of Rajah Mehipnarain, for Payment of the Arrears of the Year 1188, from the actual Collections.
- Num. 3. Q. Paper of Requests presented to the Governor General by Rajah Mehipnarain, with the Governor General's Answers annexed.

I shall now proceed to the Explanation of the preceding Accounts.

You will obviously perceive, that the Six first Numbers served as the Materials on which the Settlement was formed. The first is an Estimate of the Collections received by Rajah Cheit Sing, and was delivered to me by the Resident. It corresponds in its total Amount with my Recollection of a similar Account, which was formerly in my Possession, and sufficiently with the Account, N^o 3. G, for the Presumption of its Authenticity. As it was the best Account that I was able to obtain, and the Accounts delivered by the Naib were confessedly made up of imperfect Materials; all the Accounts having been either carried away by Cheit Sing, or destroyed, and all the principal Officers of the Revenue, who could give any Information on the Subject, having accompanied him in his Flight; I made this the Ground for forming the new Settlement.

[Although I am convinced that with proper Management the Zemedyary might yield an Amount considerably exceeding that which I have taken as the Estimate of its Value; yet I must express my Apprehension, that unless the Naib can find Means to avail himself of better official Assistance than he at present possesses, his real Profits will fall below their allowed Amount; and on that Account I have encouraged him to hope, that if he shall prove himself diligent in his Office, and punctual in the Discharge of his Kists to the Company, he may hereafter obtain, from the Indulgence of the Board, some Remission from the stipulated Jummah, whenever the actual Demands of the Company shall be lessened, and the State of their Treasury will admit of it; and this I shall recommend as an Act of Generosity becoming their former Relation to this Province, and equally warranted by the Principles of good Policy: For there are certain Lines, beyond which the Exaction of a Public Revenue will not only defeat its own Purpose, but operate as effectually to a Reduction as an intentional Act of Bounty could do. But it is not my Wish to engage the present Attention of the Board in a Discussion upon this Subject; my Desire being only to premise what I may hereafter find necessary to introduce to their further Consideration, so that any future Proposition may not appear to arise wholly from the instant Occasion of it.

I now proceed to the Explanation of the Particulars of the Settlement, as contained in the Account N^o 3. H. The first Deduction made from the gross estimated Jummah of Rupees 53,06,002. 12. is the Sum of Rupees 61,496, granted in Jagheers and other Alienations. The First is a Jagheer granted to Beneram Pundit, of the yearly Amount of Rupees 25,000. I have already acquainted the Board with the faithful Services of this Man and his Family, during the late Troubles, which I can take upon me to assure the Board, whatever was our Opinion of them at the Time, and however repugnant it may be to our national Character to regard any Situation of Affairs with the Eye of Despondency, were considered universally by all but ourselves, equally by Friend and by Foe, as utterly desperate. To the Merits of Beneram Pundit and his Brother on this Occasion, I must add a long Series of Attachment and effectual Service, from the Year 1773 to the present Time.] Though the immediate Servants and confidential Ministers of a foreign State, to the constitutional Members of which they have always professed an almost enthusiastic Devotion, they have zealously adopted all my Views for the Promotion of a Connection between their Government and ours. For this Purpose, Beneram Pundit, at my Requisition, made One Journey to Naugpoor, and attended Colonel Leslie and Colonel Goddard in the first Operations of their Detachment. Another of the Brothers still attends General Goddard in the same Capacity, and has been of great Use, by his Letters, in refuting the false Representations which were made from Poona to the Government of Berar of the Events of the War. Beneram Pundit proceeded to Naugpoor, and, chiefly at my Requisition, returned with a Constitution much impaired by the customary Effects of the malignant Climate of the Route lying between Calcutta and Naugpoor. To his Influence I entirely ascribe the generous Conduct of that Government to ours in many signal Instances, which stand recorded on our Consultations, and will be universally acknowledged as such, when Time shall have effaced the Prejudices with which they have been, and perhaps still are, represented by some; and to him I owe the Influence which I myself possessed with the late Dewan Demaugur Pundit, and its Effects while he was living. In the same Spirit of common Attachment, Bissumber Pundit, the younger Brother, went, instructed by me, to Chimnaje Bauboo, the Commander of the Army employed last Year in the Province of Orissa, and assisted Mr. Anderson in his Negotiations. In all these Instances I have considered and treated them equally as the Friends of our Government, and the faithful Servants of their own; and wherever I have been, one or both have been my constant Attendants.

If these Services shall be admitted as meritorious, although they should be ascribed to Motives of personal Respect to myself, still let it be considered, that it was in my Character of the first and executive Member of our State that I received such Instances of it, or could have the Means of inspiring

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inspiring it; and that I doubt whether a national Attachment, in an alien Breast, can either grow or subsist on any other Principle.

For all these united Reasons I have thought it incumbent upon me to recompense the Merits of this Family, by the seasonable Grant of a public Income derived from the Settlement of the Province in which they resided, and in the Recovery of which to our Authority they have made to themselves so near an Interest.

The Board have been pleased to repose so generous a Confidence in me, that I persuade myself that I shall not need their Excuse for having determined this Act by my own Authority. It was necessary to include it in the Settlement, as it would have been the Source of much Embarrassment, and given Rise to unreasonable Claims, had it been ordered after the Settlement had been concluded. I might indeed have applied to the Board, and received their Answer in sufficient Time for the Conclusion of the Settlement, had I known that the latter would have been so long delayed; but it had been from the Beginning my Intention to form it immediately on my Return to Banaris, and I was only prevented from finishing it sooner by the Delays and Procrastinations of others, which I could not conquer.

Upon this Subject I have only to add, that the Bounty of our Government has been rarely exercised on such Occasions; that no Occasion ever did more justly demand the Exertion of that Principle; and that it is one of the Duties of Government, as it is one of its best Instruments, to exercise it for the Reward of past, and for the Encouragement of future Deserts.

[The next Article will require little Explanation and no Apology. Bundoo Khan, whose Name is affixed to a Jagheer of 2,000 Rupees annual Rent, is an Inhabitant of the Town of Chunar. He attended Captain Blair in the unfortunate Attempt on Ramnagar, and in the Battle fought at Pateeta, and was of much Service to that Officer on both Occasions, by his Knowledge of the Ground, and by a natural good Understanding, which enabled him to apply that Knowledge to the Incidents before him. This Man suggested the Expedition, which was afterwards formed, to take Possession of the Passes lying behind Lutteefpoor, by an unknown and secret Route, and was himself the Guide of the Detachment. Although his former Services, and that which he offered upon this Occasion, were gratuitous, yet as the Success of the Enterprize appeared to me, from his Description of it, likely to prove the Crisis of the War, I thought it advisable to secure his Fidelity, and animate his Exertions, by such Incitements as were likely to operate with the greatest Power on a Man of his Rank and Situation in Life: I promised him a Jagheer in any Part of the Company's Dominions of which he should make Choice, to the Amount of One thousand Rupees clear yearly Rent, if the Enterprize succeeded. The Event proved the Justice of his Advice, and the Truth of his Representations, and his Conduct in the Course of it obtained the most favourable Testimony of Major Crabb, the Officer who commanded the Party. On his Return to Chunar, I instantly granted him a Perwannah for the Village of Jalaulpoor, of which I had allowed him to make Choice, situated in the Pergunnah of Pateeta; he himself told me that it yielded a Revenue exceeding 1,500 Rupees, and to prevent future Disputes if it were more, I have inserted it at the round Sum of Two thousand.]

Jaggernaut Sing, late Commandant in the 3d Regiment of Sepoys, having been strongly recommended to me by Colonels Muir, Auchmuty, and other Officers of Rank, whose Recommendation at this Time had particular Weight with me, for a Provision in his declining Years, after having passed Thirty of his Life in faithful and meritorious Service, I procured for him a Jagheer in the Zemceedary to the yearly Value of 1,200 Rupees. I am persuaded that the Board will admit the Expediency, as well as the Justice and Humanity, of making a more comfortable Provision than our ordinary invalid Establishment allows, for such native Soldiers as have merited the particular Attention of their Superiors; and I flatter myself that the present Instance, as well as the Principle on which it is founded, will meet with their Approval.]

The last Article will be explained in the separate Paper, N^o 3. I. It is a simple Act of Justice; and I was pleased that our Government should have the Credit of passing it. On the same Principle I issued a Sunnud for the Restoration of certain Villages, which are a Part of the original Endowment of Two Durgahs, in the Precincts of Chunar. The Particulars of this Claim are set forth in the accompanying Paper, N^o 3. K. These form no Part of the Diminution of the Revenues.

With respect to the other Deductions, they stand exactly as they were stated by the Naib himself, except the last Article, which I myself inserted merely for Adjustment, that it might make the remaining Sum of the net Jummah clear 40 Lacks, at which Amount I had predetermined to fix it.

The Accounts of the Settlement, N^o 3. L, M, N, O, require no Explanation. The Deduction allowed for the present Year from the fixed Jummah for Devastations, is accounted for in the Term itself. In the unequal Sums of the Kistbundee I was compelled to yield to the pertinacious Instances of the Family. I should have been better pleased that so large a Sum had not been thrown upon the last Month of the Year; but this Advantage may and ought to be derived from it, that as it has enabled them to make their Payments with greater Facility, it will leave them without Excuse if they fail in any Part of them.

The Agreement, N^o 3. P. passed against my Inclination, as well as my Advice. A substantial Revenue having been obtained to the Company, I wished to pay more Regard to their Credit than

to the Prosecution of any immediate Interests which were not of essential Importance. I knew that an Enquiry might serve for an Instrument of Gratification to private Influence, and wished to prevent the Temptation. Having already allowed the Sum of Rupees 6,66,666 10 10 as a Deduction from the First Year's Jummah, I wished to bring the Rajah to agree to the Payment of the Arrears due from his Predecessor for the last Year, amounting to the Sum of Rupees 4,63,006 5 8 in lieu of the Agreement since made; but this he would not consent to. What he is to pay upon this Account therefore remains open for future Enquiry.

The Paper of Requests, N^o 3. Q, as it preceded the Settlement, ought regularly to have been inserted before it, but as the Settlement itself was not affected by it, it may stand in its present Place.

Respecting the First Request, I had very early apprized the Rajah, through his Naib, that I should not allow him the Exercise of any Privilege or Authority, on which an Opinion of Independency could be founded: That the Mint, the Cutwally, or Police of the Town of Banaris, and the Administration of Justice to its Inhabitants; the Power of levying Forces, and maintaining Fortresses, were commonly understood as Kinds of Royalties or Appurtenances of the Sovereign State; which therefore could not be allowed to him, consistently with his Relation to the Company, nor with the Expectations which they would naturally form on the Experience of the past Troubles, in the Arrangement which I might make for the future Administration of this Province.

I have directed him to deliver over Charge of the Mint to the Resident; whom I have also ordered to receive it, and to conduct the Business of it until he shall have your final Orders respecting it; to ascertain the Amount of the Annual Revenue paid from it to Rajah Cheit Sing during the last Five Years, that the Average thereof may be carried to the Credit of the present Rajah in the Payment of his Revenue to Government; to erect proper Offices for the Services of the Mint, which, to my great Surprise, I find have been performed to this Time in the private House of the Darogah; and to form and report to me a proper Establishment for the Mint on the most frugal Valuation.

I beg Leave to recommend the actual Resident as well qualified to conduct this Business, and to request that you will be pleased to continue him in the Charge of it.

I have already advised you very fully of the Appointments which I have vested in the Person of Ally Ibrahim Khan, respecting the Police and Administration of Justice in the Town of Banaris; the Insertion of the other Articles comprized in this Request arose from my having directed them to be abolished, because they appeared to me to be discreditable and impolitic.—The following is a List of the Particulars.

- | | |
|--------------------------------------|--|
| 1. <i>Nekaus.</i> | Duties on the Sale of Horses; an oppressive Tax, and inconsiderable in its Amount. It was not my Intention to make this an express Prohibition; but having marked it, with other Articles which I thought improper, in the List of Revenues collected by the Aumeen of Banaris, it was considered as an express Prohibition, and I chose to let it stand with that Construction. |
| 2. <i>Taxes levied on Strangers.</i> | Consisting of the following Heads. |
| | 1st. Duffoor Perdaffy, or Duties levied on Pilgrims. |
| | 2d. Dullaulee Perdaffy, or Sums paid by the Brokers to buy and sell for the Pilgrims. |
| 3. <i>Talashee.</i> | Duties taken on the Examination of Persons travelling from Banaris. |
| 4. <i>Khummaur Khanab.</i> | Revenue paid by the Keepers of Gaming Houses. |
| 5. <i>Duffoor upon Rings.</i> | A Revenue paid by the Sellers of the Rings usually bought by Pilgrims. |

The 2d, 3d, and 5th Articles have been often represented to me as grievous Impositions, no less in their Amount, than in the Mode of levying them, and a great Discouragement to Strangers, whom the Spirit of Devotion might induce to come to Banaris. The Abolition, in itself a popular Act, and extending its Influence to every Part of India, is likely to pay the Loss arising from it, by the Inducement which it will afford to greater Numbers to resort to Banaris, in the Proportion of the Immunity which it presents to them.

and Request. The Zemeedars, to whom this Article alludes, are as follows.

Buggut Sing,	Zemeedar of Chowfa.
Eedel Sing,	of Agoree.
Govindjeet,	of Kunteet.
Bikram Majeet,	of sundry Villages in Zemineeah.
Ally Azeem Khan,	of Ghauzipoor.
Duljeet Sing,	of Bidjeygur.

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As these Persons shewed a Zeal for the Service of our Government, and a Desire of being useful to us during the late Troubles, I have thought it proper that their Conduct should not pass without the Retribution due to it; and for that Purpose have directed, that they be restored to the Possession of the Lands to which they have hereditary Claims. I shall also give Orders to the Resident to pay them annually, whilst they continue out of the Management of their respective Districts, an Allowance proportionate to the Jummah of each, as soon as that can be ascertained.

The remaining Requests require no Explanation or Comment.

I will not engage the Time of the Board longer than to express my Hope, that the Explanations which I have given of my Proceedings in forming the Settlement will be satisfactory. The Process of the Business I left to Mr. Anderson, to whom I am much indebted for the Pains and Diligence with which he assisted me in bringing it to a Conclusion. Much remained to be done in Detail at the Time of his Departure on another Service, which of course fell upon my Hands with other Business. To this Cause I must beg the Board to attribute my Delay in making the Report of my Proceedings, and any Deficiencies that may appear in it.

I have the Honour to be, with the greatest Esteem,

Gentlemen,

Chunar,
21st November 1781.

Your most obedient Servant,

WARREN HASTINGS.

N^o 3. B.

ABSTRACT ACCOUNT of the Annual Jummah or Rent Roll of the Zemeedary of Rajah Cheyt Sing, and according to the Pottahs of the Farmers for the Fuffullee Year 1188, including the Jagheers allowed to the Farmers.

NAMES of the PERGUNNAHS.	RENTERS NAMES.	Annual Gross Jummah.	Annual Jummah of Jagheers.	Net Annual Jummah paid into the Rajah's Treasury.
SIRKAR CHAUZIPPOOR PERGUNNAHS.				
Pergunnah Cawnpoor	—	18,000	—	18,000
D ^r Sidcpoor and Birtree	—	73,000	—	23,000
D ^r Byreabad	—	30,000	—	18,000
D ^r Siedabad	—	60,000	—	50,000
D ^r Kumah	—	58,000	—	50,000
Havillee Chauzipoor	—	1,01,000	—	90,000
Town of Chauzipoor	—	50,000	—	50,000
Jehoorabad	—	1,30,000	—	1,15,000
Garra Dimma	—	50,000	—	50,000
Mahommedabad	—	1,25,000	—	1,09,900
Bulleiah	—	—	—	—
Khareed	—	4,90,000	—	4,50,000
Pachoter, &c.	—	—	—	—
Chowish	—	1,15,000	—	1,15,000
Zemineak	—	2,00,000	—	1,85,000
Nugrah Zindary	—	25,000	—	25,000
Total Amount Sirkar Chauzipoor, Rup ^s		15,25,000	1,76,100	13,48,900

NAMES of the PERGUNNAHS.	RENTERS NAMES.	Annual Gross Jummahs.	Annual Jummahs of Jagheera.	Net Annual Jummahs paid into the Rajah's Treasury:
SIRKAR CHUNAR.				
Pergumrah Baggoot	Ramjewan Sing	3,00,000	30,000	2,70,000
Havillee	Baboo Moncar Sing	80,000	—	80,000
Narroote	In Aummannee to the Rajah	90,000	—	90,000
Patetta	In Aummannee to the Rajah	20,000	—	20,000
Moway	In Aummannee to the Rajah	36,000	—	36,000
Mowarry	—	75,000	—	75,000
Bovily	—	22,000	—	22,000
Kerah	Sujan Sing	25,000	—	25,000
Mujivar, an Half Division	Durbidje Sing	80,000	—	80,000
Doos	Bogut	50,000	25,000	25,000
Ralloopoort and	—	45,000	10,000	35,000
Ramnagur Town	Total Sirkar Chunar Rup'	8,23,000	65,000	7,58,000
Lutteefpoor				
Sattaighur				
Burhur Beechagur				
Matatch				
Burrah				

N^o 3. B.

NAMES of the PERGUNNAHS.		RENTERS NAMES.		Annual Gross Jummah.	Annual Jummah of jagheers.	Net Annual Jummah paid into the Rajah's Treasury.
SIRKAR BANARIS.						
Aumteny	—	—	—	1,40,000	—	1,40,000
Seopoor	—	—	—	65,000	—	65,000
Kutteehur	—	—	—	97,000	15,000	82,000
Narainpoor	—	—	—	—	—	—
Ogara	—	—	—	—	—	—
Rampoor	—	—	—	—	—	—
Chendipoor	—	—	—	—	—	—
Kutewar	—	—	—	40,000	—	40,000
Omerow	—	—	—	—	—	—
Moonderry	—	—	—	—	—	—
Erafoo	—	—	—	—	—	—
Lotah	—	—	—	32,000	—	32,000
Chittapoor	—	—	—	9,000	—	9,000
Tickree	—	—	—	16,000	—	16,000
Seek	—	—	—	90,000	—	90,000
Kuflewar	—	—	—	1,50,000	—	1,50,000
Bailey	—	—	—	50,000	—	50,000
Mudjwah and Kerona	—	—	—	25,000	—	25,000
Apaud and Aughtgongwa	—	—	—	1,00,000	—	1,00,000
Town Seepoor	—	—	—	55,000	—	55,000
Jeckney	—	—	—	30,000	10,000	20,000
Total Sirkar Banaris		—	Rup ^s	8,99,000	25,000	8,74,000

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NAMES of the PERGUNNAHS.		R E N T E R S N A M E S.		Annual Gross Jummah.	Annual Jummah of Jagheers.	Net Annual Jummah paid into the Rajah's Treasury.
SIRKAR JOWNPOOR.						
Kowl	—	—	—	88,000	—	88,000
Kherawkut	—	—	—	—	—	—
Chanoah	—	—	—	53,000	5,000	48,000
Tunwagur	—	—	—	—	—	—
Kafs Jownpoor	—	—	—	3,25,000	25,000	3,00,000
Kubber Deepoor	—	—	—	30,000	6,000	24,000
Monghur	—	—	—	95,000	10,000	85,000
Gurwar	—	—	—	1,00,000	15,000	85,000
Gaffoah	—	—	—	72,000	—	72,000
Khupperhah	—	—	—	12,000	—	12,000
A Talook of	—	—	—	5,000	—	5,000
Town Jownpoor	—	—	—	—	—	—
Buddowy	—	—	—	4,00,000	25,000	3,75,000
Murriakhoo	—	—	—	4,75,000	25,000	4,50,000
C A N T E E T.				16,55,000	1,11,000	15,44,000
Canteet	—	—	—	3,75,000	—	3,75,000
Kheiraghur pays the Nabob	—	—	—	25,000	15,000	10,000
A B S T R A C T of the above Account.						
Sirkar Ghauzipoor	—	—	—	15,25,000	1,76,100	13,48,900
Sirkar Chunar	—	—	—	8,23,000	65,000	7,58,000
Sirkar Banaris	—	—	—	8,99,000	25,000	8,74,000
Sirkar Jownpoor	—	—	—	16,55,000	1,11,000	15,44,000
Canteet	—	—	—	3,75,000	—	3,75,000
Kheiragur	—	—	—	25,000	15,000	10,000
Grand Total	—	—	Rup'	53,02,000	3,92,000	49,09,900

N^o 3. C.

PARTICULAR ACCOUNT of the Revenues of Banaris, &c. in the Fuffullee Year 1184, delivered to the Governor General by Rajah Mehpnarain.

	Jummah.	Deduct Charges of Collection in the Amany Mehals.	Charges in the farmed Mehals allowed under the Name of Maafy Mamoo, &c.	Net Jummah.
Bhagwhut, &c.	438,764	—	—	438,764
Havelly Jownpoor	2,84,968	—	—	2,84,968
Talook Serry Moo, and the Merta Furreka Villages	30,037	—	—	28,537
Villages of the Buxey and Cootwal of Jownpoor	31,556	—	1,500	23,806
Kherakut, containing the Tuppahs of Hurtearpoor Peflaraht	49,988	—	7,750	49,647
Gurwarah	88,315	—	341	88,315
Giffwah	75,185	—	—	71,586
Murriakhoo	330,105	3,600	—	3,17,105
Bhudoe & Division	1,58,341	—	—	53,341
Amanaut Revenue of the Town of Banaris	1,62,406	—	—	1,62,406
Mahal Chunar Behree	21,600	—	—	21,600
Mahal Byram Gunge	11,028	—	—	11,028
Chowdrahy Dereeba Paan	301	—	—	301
Delally Tola	853	—	—	853
Curwally Banaris	4,991	—	—	4,991
Cutthere Pergunnah	91,737	—	—	87,737
Talook of Shewpoor	58,493	—	—	54,493
Narainpoor	12,031	—	—	12,031
Pandra Booly, &c.	94,221	—	—	94,221
Cuffwar Pergunnah	1,13,100	—	—	1,03,830
Pergunnah Curiat and Borapoor	72,882	6,967	2,303	72,882
Satefghur	2,256	—	—	2,256
Lohra	27,946	—	—	23,946
Chytapoor	1,101	—	—	1,001
Pergunnah Burrah	32,582	—	—	32,582

APPENDIX.

Brought over	Jumlah of 1884.	Deduct Charges of Collections for the Amanny Mehals.	Charges in the farmed Mehals allowed under the Name of Masry Mamooly.	Net Revenue.
Bealfee	42,106	—	2,000	40,106
Colah Afflah	88,221	—	2,000	86,221
Doof	31,734	5	1,000	30,734
Moongerah	70,218	2	—	70,218
Jusfooree	6,758	6	—	6,758
Mudhoopoor	10,594	11	—	10,594
Ahorow	18,547	4	—	18,547
Budhur Bejyghur and Agoree	47,311	1	—	47,311
Sayer Mehal of Shewpoor	47,118	—	2,000	45,118
Pergunnah Raloopoor	50,103	10	2,927	47,116
Sayer of Ramnagar	30,168	—	—	26,168
Pergunnah Cunter Bejyppoor	353,161	—	11,095	342,266
Kheyraghur	1,811,046	14	—	1,811,046
Mint, &c.	18,767	15	—	16,215
Mahayetch	—	—	—	—
Dehat Muta Furracat	21,592	7	21	21,570
Dehat Chunar	6,197	9	—	6,197
Mehal Soora	2,001	—	—	2,001
Mehal Opium	500	—	—	500
Sirkar Ghauzipoor	14,14,831	9	—	13,70,831
	46,95,174	3	—	—
	30,324	7	—	—
	47,25,498	9	—	—
	1,81,046	14	—	—
	45,44,451	11	—	—
	30,324	7	—	—
	45,14,127	5	—	—
		37,119	6	1,05,598
			8	43,71,409
			6	6

Add Jagheers not included in the above Accounts

Deduct Kheiraghur, which is included in the above Account, though farmed from the Vizeer

Deduct Jagheers

N^o 3. D.

ABSTRACT ACCOUNT of the Revenues of Banaris, &c. delivered to the Governor General by Rajah Mehipnarain; being formed from the Accounts of the Fuffullee Year 1184.

Jummah as per Account	—	—	—	—	47,25,498	9	$\frac{1}{2}$
Jummah not included in the Accounts; viz.							
The Jagheers of ½ Bhuddovee	—	—	1,58,341	—	—	—	—
Pergunnah Mahaytch, the Jagheer of Doorbijey Sing	—	—	60,000	—	—	—	—
Seidpore, the Jagheer of Owfan Sing,	—	—	—	—	—	—	—
Amount Jagheer	—	—	50,000	—	—	—	—
Amount Maafy, or Remission in the Revenue	—	—	4,000	—	—	—	—
			<u>54,000</u>	—	—	—	—
					2,72,341	—	—
Total Jummah of the Districts held by Cheyt Sing	—	—	—	—	49,97,839	9	$\frac{1}{2}$
Deduct the Revenue paid to the Vizeer, for the Pergunnah of Kheiragur	—	—	—	—	1,81,046	14	—
Total Jummah of the Zemeedary of Banaris, &c.	—	—	—	—	48,16,792	14	$\frac{1}{2}$
Deduct							
Amount of the Jagheers as above	—	—	2,72,341	—	—	—	—
Charges incurred in collecting the Revenue of the Aumancee Mehals, also Maafy, or established Indulgences usually granted to Farmers and Aumils at the Close of the Year :							
Charges of the Aumancee Mehals	37,119	6	$\frac{1}{2}$				
Maafy Maumooly	1,05,598	8	$\frac{1}{2}$				
	<u>1,42,717</u>	15	—				
					4,15,058	15	—
				Rup'	44,01,733	12	—

ACCOUNT PARTICULARS of the Revenue of Banaris, &c. for the Year 1888, Fuffulee, delivered to the Governor General by Rajah Mehipnarain.

M E H A L S		Jummah.	Charges of Collections in the Amanny Meha's.	Charges allowed in the farmed Meha's, under the Name of Maasy Mamooly.	Net Revenue of 1888.
Bhagwut, &c.	—	4,38,764	—	—	4,38,764
Havelly Jownpoor	—	2,79,968	—	—	2,79,968
Villages of the Bukfey and Cutwal,	—	31,556	—	—	23,806
Talook Serry Moo, and the Muta Furreka Villages	—	30,037	—	7,750	28,537
Kherakut Hurtearpoor Pefiarah	—	49,988	—	1,500	49,647
Gurwarah	—	88,315	—	341	88,316
Ghetwah	—	75,186	—	—	71,586
Murreakoo	—	3,30,105	—	3,600	3,19,105
Bhuddbe & Division	—	1,58,341	—	11,000	1,53,341
Amanaut Renenue of Banaris	—	1,33,000	—	5,000	1,33,000
Mehal Chunar Behreec	—	21,600	—	—	21,600
Mehal Byram Gunge	—	11,00,028	—	—	11,00,028
Chowdraby Derteba Paum	—	301	—	—	301
Delally Tela	—	853	—	—	853
Cutwally Banaris	—	4,991	—	—	4,991
Cutthere Pergunnah	—	91,737	—	—	88,737
Talook of Shewpoor	—	58,493	—	3,000	56,493
Narrainpoor	—	10,000	—	2,000	10,000
Pundrha Booly, &c.	—	94,221	—	—	94,221
Cuffwar Pergunnah	—	17,066	—	—	17,066
Pergunnah Curreat, and Borapoor	—	67,882	6,967	2,503	63,882
Satteefghur	—	2,20,056	4,000	—	2,20,056
Lohta	—	27,946	—	—	23,946
Chetaypoor	—	11,001	—	4,000	10,901
Pergunnah Burrah	—	32,582	—	100	32,582

N^o 3. F.

ABSTRACT ACCOUNT of the Revenue of Benaris, &c. for the Fuffullee Year 1188,
delivered to the Governor General by Rajah Mehipnarain.

Jummah or Revenue inferted in the Account, N ^o 3. E.	—	—	46,33,661 12 ½
Jummah of the Jagheers, not included in the Accounts of Revenue; viz.			
The Jagheers of ; the Pergunnah of Bhuddovee	—	1,58,341 — —	
Mahaytch, the Jagheer of Doorbigjei Sing	—	— 60,000 — —	
Seidpore, the Jagheer of Owlan Sing	—	50,000 — —	
Maafy, or Remission to D ^o	—	— 4,000 — —	
		<u>54,000 — —</u>	2,72,341 — —
Deduct the Revenue paid to the Vizeer, for the District of Kheiragur	—	—	49,06,002 12 ½
			<u>1,98,046 14 —</u>
Deductions from the Revenue, Jagheers as above	—	—	47,07,955 14 —
			<u>2,72,341 — —</u>
			44,35,614 14 ½
C H A R G E S.			
Charges of collecting the Revenues of the Aumancee Mehals	41,119	6 ½	
Maafy Mamooly, or established Remissions granted to			
Farmers and Aumils at the Close of the Year	—	— 1,02,598 8 ½	
		<u>1,43,717 15 —</u>	
Benaris Siccas	—	—	42,91,896 15 ½

ACCOUNT of the REVENUES of GAUZIPOOR.

[illegible][illegible]

Gundeah	}								
Dahme									
Zemmaneah		-	-	-	-	-		2,77,000	--
Chowfah									
Curundah									

Zahoorabad	}	—	—	—	—	—	—	1,50,000	—	—
Bhadawn										
Behader Gunge										
Shaddee Abad										

Chandpore	18,000
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Behryabad — — — — — 15,000 — —

[illegible]

Talook of Boofgan and Burragong	—	—	—	—	10,000	—	—
Acka Mehdee's Mehals, Havelly, Ghauzipoor, on a							
Mercurrery Jummah	—	—	—	92,000	—	—	
All the Sayer Revenues	—	—	—	55,000	—	—	
					1,47,000	—	—
					14,14,000	—	—

PART I.

[N° 3. H.]

FORM of the General Settlement concluded by the Governor General with Rajah
Mehipnarain.

Jummah, as per Account	—	—	—	—	49,06,002 12 —
------------------------	---	---	---	---	----------------

Add Profits enjoyed by the Bauboos, which may now be resumed, calculated at	—	—	—	—	4,00,000 — —
---	---	---	---	---	--------------

53,06,002 12 —

Deduct Articles of Revenue now alienated : (viz.)

Beneram's Jagheer	—	—	—	25,000 — —	
Bundoo Khan's Jagheer	—	—	—	2,000 — —	
Jaggernaut's Jagheer	—	—	—	1,200 — —	
Half of the Maaah and Charity confirmed by Mr. Marriot, afterwards resumed, and now restored				33,296 — —	
				<hr/>	61,496 — —

Rup^s 52,44,506 12 —

Deduct also Charges of Collection, as per Account; viz.

In the Aumaanee Mehals	—	—	41,119 6 $\frac{1}{2}$	
In the farmed Mehals allowed to the Farmers	—	—	1,02,598 8 $\frac{1}{2}$	
			<hr/>	1,43,717 15 —

51,00,788 13 —

Deduct Revenue paid for Kheiragur to the Vizeer	—	—	—	1,98,046 14 —
---	---	---	---	---------------

49,02,741 15 —

Deduct Jagheers and Allowances for the Support of the Rajah, his Family, and Dependants; viz.

Jagheer of $\frac{1}{2}$ Buddovee belonging to the Rajah	—	1,58,341 — —
Ditto Mahaytch Doorgbijey Sing	—	60,000 — —
Ditto Seidpoor Owfan Sing	—	54,000 — —
Allowance granted for the Support of the Rajah, his Household Expences, Family, Sewary, &c.	—	6,30,400 15 —

9,02,741 15 —

Rup^{ees} 40,00,000 — —]

N^o 3. I.

ABSTRACT of the Allowances paid for the Support of distressed Families, and Men of Piety and Learning, from the Revenues of Banaris; formed from an Account which was drawn out by Rajah Cheyt Sing at the Desire of Mr. Fowke, and is now in the Possession of the Cauzee; authenticated by Mr. Graham's Signature, and Copy of the Governor General's Minute on this Subject.

A Established Allowances signed by Mr. Marriot, viz.

MAASH, or old and established Allowances, consisting partly of Assignments on the Revenues of Villages, and partly of Monthly Allowances	—	58,891	5	—
Rozinadars and poor Men, being Charity Allowances	— —	32,111	9	$\frac{1}{2}$
		<hr/>		
		91,002	14	$\frac{1}{2}$

B JAGHEERS granted by the King, or by the Vizeers Sujah ud Dowlah and Afuf ud Dowlah, after the Time of Mr. Marriot — — 19,290 — —

C MAAFY DEHAT, or Assignments of Charity on particular Villages, granted by Ditto after Mr. Marriot — — — — 56,375 10 $\frac{1}{2}$

Rupees 1,66,668 9 —

A These Allowances were continued until the Year 1183 Fussullee, when the Rajah made his Settlement with the Company, after which they were resumed. Some of them might now be struck out, the Persons being dead, or the Purposes for which they were granted having ceased. The Cauzee has engaged to draw out a List of such as may be struck out, or left for Enquiry. Under these Allowances are comprehended 323 Names or Families.

B These Grants were after Mr. Marriot's Time, None of the Persons obtained Lands, but the Rajah paid them an Equivalent in Money. Some of the Grants never took Place, and many of the Persons are dead.

C These are similar to the Articles under B. only that the Jagheers were temporary, and in Consideration of Services; whereas the Maafy Dehat were hereditary, and granted to poor People, like the Milk or Ahema of Bahar.

PART I.

Num. II.

The Cauzee delivers in a List of Persons who are not forthcoming, and in general supposed to be dead, or so provided for as not to require the Allowance, the Abstract of which is as follows :

Absentees on the List of Allowances signed by Mr. Marriott.

Maaish	—	—	—	—	—	—	20,289	8	—
Rozenadars	—	—	—	—	—	—	4,116	8	—
							<hr/>		
							24,406	—	—

Absentees on the List of Allowances granted after the Time of Mr. Marriott.

Maafy Dehaut	—	—	—	—	—	—	12,934	3	—
							<hr/>		
							Rupees	37,340	3 —
							<hr/>		

Statement shewing the whole Amount of the Allowances, and particularizing the Proportion thereof, held in the Names of Persons who are either dead or absent.

In Mr. Marriott's List:

Maaſh	—	—	—	—	—	58,891	5	—	
Dead or abſent	—	—	—	—	—	20,289	8	—	
							<hr/>		
							38,601	13	—
Rozenadars	—	—	—	—	—	32,111	9	—	
Dead or abſent	—	—	—	—	—	4,120	8	—	
							<hr/>		
							27,991	1	—
							<hr/>		
							66,592	14	—

After Mr. Marriott's Time.

Maafy Dehaut	—	—	—	—	—	56,375	10	$\frac{1}{2}$
Dead or absent	—	—	—	—	—	12,934	3	—
Jaghooers	—	—	—	—	—	43,441	7	$\frac{1}{2}$
						19,290	—	—
							62,731	7 $\frac{1}{2}$
						Rupees	1,29,324	— —

Resolved, That Copies of the Account be sent to the Rajah, and that he be directed to restore One Half of the several Allowances confirmed by Mr. Marriott, and held by Persons who are still in being and present, being by the above Account R^s 66,592. 14.—One Half whereof is R^s 33,296. 7.—and that he be allowed, on the Death of the Incumbents, to resume their Proportions: That Mr. Markham be authorized to examine any Claims which may hereafter be preferred to a similar Indulgence by the Persons who are supposed to be dead or absent, and who are comprehended under the Article of Account N^o 2. R^s 24,406, and that he report thereon to the Governor General and Council: That as it does not appear that the Allowances granted after Mr. Marriott's Time were properly bestowed, it is unnecessary to restore them.

Num. 3. K.

Paper relative to a Grant of certain Villages to the Fackeers of the Mackbarrah of Shah Cossim Soolimany, and Shah Wasseel, at Chunar.

Former Lands belonging to the Tomb at Chunar :

The Village of Begpoor.

D° Biggerah.

D° Behry.

D° Bibtee.

The Fackeer represents that all these Villages were resumed in the Time of Munfaram, and afterwards the Nabob Sufdar-Jung restored the Two Villages of Behry and Begpoor, valued at 1000 R' per Annum. These are still in Possession of the Fackeers, but they are now subject to a Revenue of 500 R' per Annum, which was imposed about 18 Years ago, when Shumsheer Khan, the Naib of Shujah ud Dowlah, made a general Resumption of One Half of all the Charity Allowances of Banaris. The remaining 500 R' was confirmed afterwards by Mr. Marriott, and in Exception to all other Allowances has been continued by the Rajah. The Fackeer now requests to have the whole Four Villages restored, or if this cannot be granted, to have the Revenue of 500 R' taken off. He does not know the Amount of the Villages of Behry and Begpoor.

The Cauzee of Banaris being examined, confirms this Representation.

On the 8th of October, a Sunnud was issued to Mahommed Ismael the Khaleefa, granting the Villages of Begpoor and Behry to be held free of Revenue, for keeping the Tombs and Mosque at Chunar in proper Repair, and for the Maintenance of the Fackeers.

Num. 3. L.

Translation of the Pottah granted to Rajah Mehipnarain.

Whereas the Sirkar of Banaris and Chunar, and the Mehals of the Sirkar of Jounpoor, both Maul and Sayer, and Havelee Mahomedabad Banaris, and the Daums of the Mulhoos Khas, and the Pergunnah Bhuddovee, and the Talook of Sungramow, dependant on the Pergunnah of Chanda and Sutteesgur, and the Pergunnah of Cunteet, called Bidjeypoor, and the Sirkar of Ghauzipoor, and the Pergunnah of Secunderpoor and Khereed, and Shaudecabad and Tuppa Serincha, with the Maul and Sayer, and Cutwallee of Jounpoor, and the Mokremee and Yettifaub, and Sungwozinee of Banaris, both Maul and Sayer, with the Dufloor Dewannee; besides Half of the Jagheer of the Pergunnah Bhuddovee, &c. and the Maafy to the Rozenadars and other Expences of the Hushoo-minhayee, conformably to your Cobooleeat, have been granted to you from the Beginning of the Month of Assin, 1189 Fussullee, answering to the 14th of September 1781, at the Agreement of Forty Lacks of Sicca Rupees, struck in the Town of Banaris, as a fixed and perpetual Sum, without Alteration, for every Year, and from that Amount the Sum of (6,66,666. 10. 10.) Six Lacks Sixty-six thousand Six hundred and Sixty-six Sicca Rupees Ten Annas and Ten Gundas for this Year, which is 1189 Fussullee, on account of the Devastations, &c. in the Two Months of Disturbances, having been remitted; the remaining Amount of the Maulwajib Maulgoozary of the Sirkar, being (33,33,333. 5. 10.) Thirty-three Lacks Thirty-three thousand Three hundred and Thirty-three Rupees Five Annas and Ten Gundas of Banaris Sicca Coin, of due Standard and Weight, agreeably to the separate Kistbundee and Cobooleeat, which you have written, and delivered under your own Seal, you will, Month by Month, without Excuse or Delay, and without the Expence of the Sebundee and other Expences, conformably to the Kists mentioned in them, pay duly as Khezannah to the Sirkar; and in the next Year the fixed and perpetual yearly Jummah of 40 Lacks of Sicca Rupees, which you have agreed to, and the Kistbundee of which also you have delivered under your own Seal into the Duffer of the Sirkar, conformably thereto you will yearly discharge, the Maulgoozary to the Sirkar. By the Blessing of God from this Agreement in no Instance shall there ever be any Deviation or Failure.

PART I.

The BUNDODUST of the Year 1189 Fuffullee.

Conformably to the Papers	—	49,06,002 12 —	
Increase to the Advantage of the Sirkar	—	4,00,000 — —	
		<u>53,06,002 12 —</u>	
Deduct the Jagheers, &c.			
Jagheer of Beneram Pundit	—	25,000 — —	
Jagheer of Bundoo Khan	—	2,000 — —	
Jagheer of Jaggernaut Soobadar	—	1,200 — —	
Restored to the Rozenadars	—	33,296 — —	
		<u>61,496 — —</u>	
	Balance	—	52,44,506 12 —
Deduct the Expences of Mehals Aumaanee, &c.			
The Expences of Mehals Aumaanee	—	41,119 6 10	
Maafy Maumooly	—	1,02,598 8 10	
		<u>1,43,717 15 —</u>	
			51,00,788 13 —
Deduct the Mehal of Keiragur, of which the Maulgoozary is appropriated to the Sirkar of the Nabob Vizeer ul Mamalek Behadre	—	1,98,046 14 —	
	Balance	—	49,02,741 15 —
Deduct my Jagheer, &c. with those of my Dependants:			
Half the Pergunnah of Bhuddovee	—	1,58,341 — —	
The Pergunnah of Mahaytch	—	60,000 — —	
The Pergunnah of Seidpoor	—	54,000 — —	
My Salary, &c. and those of my Dependants	—	6,30,400 15 —	
		<u>9,02,741 15 —</u>	
	Balance	—	40,00,000 — —
Deduct the Devastations, &c. of Two Months Disturbances	—	6,66,666 10 10	
	Balance Banaris S' R'	—	33,33,333 5 10
From the Year 1190 Fuffullee a fixed and perpetual Sum, conformably to the former Bundobust	—	33,33,333 5 10	
Increase taken from the Deductions on account of the Devastations, &c.	—	6,66,666 10 10	
	Total Banaris S' R'	—	<u>40,00,000 — —</u>

Dated the 1st of Assin 1189 Fuffullee,
answering to the 14th September 1781.

Copy of the COBOOLEEAT executed by Rajah Mehipnarain.

I Rajah Mehipnarain Behadre: Whereas the Zemeedary of the Sirkar of Banaris and Chunar, and the Mehals of the Sirkar of Jounpoor, both Maul and Sayer, and Havelee Mahommedabad Banaris, and the Daums of the Mulboos Khas, and the Pergunnah Bhuddovee and the Talook of Sunggramow, dependant on the Pergunnah of Chanda and Sutteesgur and Cunteet, called Bidjeypoor, and the Sirkar of Ghauzipoor, and the Pergunnah of Secunderpoor, and Khereed, and Shaudceabad, and Tuppa Serincha, with the Maul and Sayer, and Curwallie of Jounpoor; and the Mokeemee and Yettislaub and Sungwozinee of Banaris, and the entire Mehals both Maul and Sayer, with the Duffoor Dewannee, of the Soubah of Illahabad, besides the Mehal of Kheiragur, of which the Maulgoozary is appropriated to the Sirkar of the Nabob Vizeer ul Mamalek, Asophud-Dowlah-Behadre, and the Mehals of the Jagheers held by the Rozenadars, and the Expences agreeably to the Hufhoo-minhayee, or Account of Deductions, have been given in Perpetuity to me from the Honourable Company, at the fixed and perpetual yearly Sum of Forty Lacks of Banaris Sicca Rupees, of full Weight and Standard. I have agreed to it of my own free and entire Will, and of that Amount the Sum of (6,66,666. 10. 10.) Six Lacks Sixty-six thousand Six hundred and Sixty-six Rupees Ten Annas and Ten Gundas having been remitted and deducted on account of the Devastations, &c. in the Two Months of Disturbance for this Year 1189 Fuffullee, I have acknowledged, without Hesitation, the remaining Sum of (33,33,333. 5. 10.) Thirty-three Lacks Thirty-three thousand Three hundred and Thirty-three Rupees Five Annas and Ten Gundas of Banaris Sicca Standard, to be due from me as the Maulwajib of the Sirkar for the said Year; and having written and delivered under my Seal, upon a separate Paper, the Kistbundee of it, I engage and deliver in Writing to this Effect, that I will, agreeably to the Kistbundee, Month by Month, without Excuse or Delay, duly pay the Khezanna Aumera of the Sirkar in the Town of Banaris, and at the End of the Year I will take a Receipt and Discharge for the Whole; and the Jummah of the next Year 1190 Fuffullee having been settled for the entire Sum of Forty Lacks of Banaris Siccas, as a perpetual and fixed Sum for every Year, that also do I include in this Coboolleat, and engage that I will, without Excuse or Delay, agreeably to the Kists of the same, discharge, Month by Month, the Khezanna Aumera of the Sirkar; and that I will without Fail pay the Money of the Rozenadars, &c. conformably to the Hufhoo-minhayee, and take a Receipt for it; and that, employing myself in the Duties and Affairs of my Zemeedary, I will not neglect or be deficient in any one Point of Diligence and Care, but I will behave with the greatest Attention to the Reyots and to all People of every Rank; and I will exert my utmost Abilities in the Cultivation and Population of the Country, and the Increase of its Revenues, so that it may improve daily; I will act with such Vigour in expelling Thieves, Night Robbers, Murderers, and all evil Doers, that not one of them shall remain within my Zemeedary, and that no Crimes and Offences shall be heard of.

I have therefore written and delivered these few Lines in the Nature of a Coboolleat, that it may be made use of when necessary.

Dated the 1st of Aashin 1189 Fuffullee,
answering to the 14th September 1781.

PART I.

NUM. 3. N.

Kistbundee of the Sirkar of Banaris and Chunar, and the Mehals of the Sirkar of Jounpoor and Mahommedabad, the Sirkar Ghaazipoor, &c. &c. for the present Year 1189 Fuffullee.

	Total Banaris Sicca Rupees	—	53,06,002	12	—
Deduct the Jagheers, &c.					
Jagheer of Beneram Pundit	—	—	25,000	—	—
Jagheer of Bundoo Khan	—	—	2,000	—	—
Jagheer of Jagernaut Subadar	—	—	1,200	—	—
Reitired to the Rozenadars	—	—	33,296	—	—
				61,496	—
				52,44,506	12
	Balance	—			
Deduct the Expences of Mehals Aumaunee, &c. &c.					
The Expences of the Mehals Aumaunee	—	—	41,119	6	10
Maafy Maumooly	—	—	1,02,598	8	10
				1,43,717	15
				51,00,788	13
Deduct the Mehal of Kheiragur, of which the Maulgoozary is appropriated to the Sirkar of the Nabob Vizeer	—	—	—	1,98,046	14
				49,02,741	15
	Balance				
Deduct my Jagheer and Monthly Salary, with those of my Dependants:					
Half the Pergunnah of Bhuddovee	—	—	1,58,341	—	—
The Pergunnah of Mahaytch	—	—	60,000	—	—
The Pergunnah of Seidpoor	—	—	54,000	—	—
The Salaries, &c. &c.	—	—	6,30,400	15	—
				9,02,741	15
				40,00,000	—
Deduct the Devastations of Two Months Disturbances	—	—	—	6,66,666	10
	Balance Banaris Sicca Rupees	—	33,33,333	5	10

Month of Affin	—	—	10,000	—	—
Cautic	—	—	15,000	—	—
Augun	—	—	2,78,000	—	—
Poor	—	—	2,78,000	—	—
Mar.	—	—	2,78,000	—	—
Phaugun	—	—	2,78,000	—	—
Chait	—	—	2,78,000	—	—
Bysak	—	—	2,78,000	—	—
Jebait	—	—	2,78,000	—	—
Aitar	—	—	2,78,000	—	—
Sawaun	—	—	2,78,000	—	—
Bahadun, the end of the Year			8,06,333	5	10
			<hr/>		
			33,33,333	5	10
			<hr/>		

ted he ft of Affin 1185 Fuffallee,
 3 wering to the 14th of September 1781.

NUMB. 3. O.

Kistbundee of the Sirkar of Banaris and Chunar, and the Mehals of the Sirkar of Jounpore and Mahommedabad, and the Sirkar of Ghauzipoor, for the Year 1190 Fuffullee, and for ever.

The Jummah, agreeable to the Papers	—	49,06,002	12	—
The Bazeeft or Resumptions taken by the Sirkar from the Baubos	—	4,00,000	—	—
				53,06,002 12 —
Deduct the new Jagheers and the Rozenadars :				
Jagheer of Beneram Pundit	—	25,000	—	—
Jagheer of Bundoo Khan	—	2,000	—	—
Jagheer of Jagernaut Soobadar	—	1,200	—	—
Restored to the Rozenadars	—	33,296	—	—
				61,496 — —
				Balance — 52,44,506 12 —
Deduct the Expences of Mehals Aumaunee, &c. &c.				
The Expences of Mehals Aumaunee	—	41,119	6	10
Maafy Maumooly	—	1,02,598	8	10
				1,43,717 15 —
				51,00,788 13 —
Deduct the Mehals of Kheiragur, of which the Maulgoozary is appropriated to the Sirkar of the Nabob Vizeer	—	—	—	—
				1,98,006 14 —
				Balance — 49,02,741 15 —
Deduct my Jagheer and Monthly Salary, &c. with those of my Dependants :				
Half the Pergunnah of Bhuddovee	—	1,58,341	—	—
The Pergunnah of Mahaytch	—	60,000	—	—
The Pergunnah of Seidpoor	—	54,000	—	—
The Salary, and those of my Dependants	—	6,30,400	15	—
				9,02,741 15 —
				Balance Banaris Sicca Rupees — 40,00,000 — —

Month of Affin	—	—	—	2,90,000	—	—
Cautic	—	—	—	2,90,000	—	—
Augun	—	—	—	2,90,000	—	—
Poos	—	—	—	2,90,000	—	—
Maug	—	—	—	2,90,000	—	—
Phaugun	—	—	—	2,90,000	—	—
Choit	—	—	—	2,90,000	—	—
Bylaak	—	—	—	2,90,000	—	—
Jeheit	—	—	—	2,90,000	—	—
Affar	—	—	—	2,90,000	—	—
Sawaun	—	—	—	2,90,000	—	—
Bahadun, which is the End of the Year,	—	—	—	8,10,000	—	—
						Benaris Sicca Rupees — 40,00,000 — —

Dated the 1st of Affin 1189 Fuffullee, answering to the 14th of September 1781.

NUM. 3. P.

Agreement of Rajah Mehipnarain Behadre, for the Payment of the Arrears of the Year 1188 by the actual Collections.

I Having been ordered from the Prefence to collect and pay to the Sirkar whatever Balances remain of Cheit Sing's Administration to the End of the Year 1188; I therefore represent, that whatever I can collect of the Balances for the above Year, I will pay to the Sirkar.

PART I.

NUMB. 3. Q.

Paper of Requests presented to the Governor General by Rajah Mehipnarain with the Governor General's Answers annexed.

The Requests of Rajah Mehipnarain, to which he is hopeful that the Governor General's Signature may be affixed.

First Article.

Of the Mint and Adaulut, &c. agreeably to the following List, whatever Part shall be divided from my Bundobust, I hope that the Receipts of that may be deducted in the Maulgoozary: 1st, The Mint. 2d, The Adaulut. 3d, The Fougedary. 4th, The Cutwalee of Banaris. 5th, The Nekhaus. 6th, The Brokerage from Strangers. 7th, The Talafhee. 8th, The Khum-maur Khanah. 9th, The Dufloor upon Rings.

Answer to the First Article.

Of the Mint and Adaulut, &c. agreeably to the above List, whatever may be the Average Receipts for the Five last Years shall be deducted in the Maulgoozary. But for the Tax upon Strangers, which out of Regard to the Welfare of the People and the Population of the Country I have annulled, you shall have no Deduction.

Second Article.

Whatever may be granted from the Prefence* to the Zemeedars, &c. for their Support, I am hopeful may be deducted in the Maulgoozary.

Answer to the Second Article.

The former Zemeedars and Possessors, who received Allowances and Support, and who were in Possession to the End of last Year, and who are not included in the Paper delivered to the Prefence, shall be continued. Besides these, whatever further Allowance for Support may be made from the Prefence to any Zemeedar, &c. shall be deducted in the Maulgoozary.

Third Article.

Whatever may be the Expences on account of the Commissions of English Gentlemen, &c. I am unable to supply them. On this Point I request your Orders.

Answer to the Third Article.

Whatever Article may be commissioned, you shall receive the Price of it; and besides such as shall be required on the Company's Account, there shall be no Commissions.

Fourth Article.

The Way that the Bundobust of Affairs has been settled is well known to the Prefence. In providing the Maulwajib of the Sirkar, wherever I may see the Means of making an Encrease of Profit, I will make the Bundobust accordingly. I am hopeful that no one may receive Indulgences from the Prefence.

Answer to the Fourth Article.

Wherever you may see the Means of making an Encrease of Profit, you will make the Bundobust accordingly. No one shall receive Indulgences from the Prefence.

Fifth Article.

I am hopeful that the Troops which shall be appointed from the Prefence for the Protection of the Sirkar of Banaris, &c. may be stationed agreeably to my Request.

Answer to the Fifth Article.

Wherever Troops may be necessary they shall be stationed.

Sixth Article.

Respecting the Balances to the End of the Year 1188, during Cheit Sing's Administration, I have been ordered from the Prefence to collect and pay them to the Sirkar. I therefore represent, that whatever of the Balances for the above Year I can collect, I will pay to the Sirkar.

Answer to the Sixth Article.

Agreed.

NUM. 4. A.

Copy of a Letter from the Governor General to Colonel Muir, dated the 29th of August 1781.

To Colonel Muir,

The Treachery of Rajah Cheit Sing has compelled me to retreat to this Place, where I wait to reduce this Zemeedary; a Work (I trust) of no great Difficulty or Time. I have received a Letter

* The Reader is desired to make Allowances for this and similar Expressions not suitable to our Idiom, but literally translated from the Persian Original.

from you, mentioning that Sindia has offered Terms of Peace; I hereby give you full Powers, in the Name of the Governor General and Council, to conclude a Treaty with him on the following Instructions: I have sent you Credentials in Form*: I do not repeat them in this, on account of the Dangers of the Road; but in case of their Miscarriage, this Letter must serve in their Stead. Act accordingly, and I will ratify it. Agree with him, either for an Alliance of mutual Defence, or Neutrality. If he desires to include the Peashwa, you may agree to a Treaty of Peace with the Peashwa, and an Alliance against Hyder Ally Khan, and all common Enemies; or of Peace simply, on the Conditions of restoring all that we have acquired during the War, except Ahmedabad, and the Territory conquered for Rajah Futteh Sing Gaycwar, and the Fortrefs of Gwalliar, and Fort and Territory of Lahar; that we will never assist Ragonaut Row, nor interfere in his Concerns, nor admit him into our Forts or Factories; but we will not deliver him into the Hands of any one; let a Time be allowed him to repair to a Place of Security. We will yield what is ours, and what we can in Honour grant; but we will never suffer our Treaties to be infringed, nor our Faith to be violated. Reserve for us Basseen if you can, even if it should be necessary to yield in exchange for it, all the Lands obtained by the Treaty with Colonel Upton, except Salsett, and the other ceded Islands, and the ceded Moiety of Baroach; but do not insist on the Reservation of Basseen to the Hindrance of Peace. We want nothing from them but their Alliance against Hyder Ally Khan, and that we dispense with. Be careful that the Agreement do not contain any Thing hostile to the Government of Berar, or hurtful to our Connection with it. Obtain the Restoration of the Chundery Rajah, and secure, as far as you may have the Means, the Interests of the Rajah of Nurwar, and any other Chiefs who have been active in our Cause. Include the Ranah of Ghode, and Futteh Sing Gaycwar in the Peace. To prevent future Provocations of Hostility, let it be agreed to exclude the French and all other European Nations from the Ports and Dominions of the Marattahs. If a Treaty has already taken place between General Goddard and the Marattah State, the present Treaty must in such Case be void; but you may assure Sindia that no Peace can or shall be made to his Prejudice. Send, if you think proper, a confidential Person to Mahdajee Sindia. If he will engage on the above Terms, he must conclude them now: I am making my final Arrangements, and if the Time is lost, a Treaty with him may be for ever precluded by them. Obviate any Conclusions which he may draw from the present Scene: It regards myself personally, and myself at this Time but little. Cheit Sing, by the sudden Massacre of some of the Sepoys of my Guard, which diminished it to the small Number of 400 Men, shut up with me in the close Suburbs of Banaris, might have effected my Destruction. I escaped the Danger, and Troops are assembling daily, to which he can afford no Opposition. While the Effect of these Instructions is passing to Sindia, the Rajah's total Exclusion ought to be accomplished. I hope it will.

Warren Hastings.

NUM. 4. B.

Copy of a Letter from the Governor General to Colonel Muir; dated Chunar the 10th of September 1781.

To Colonel Muir.

Sir,

I have lately sent you Dispatches in Duplicate, containing Instructions and full Powers for negotiating and concluding a Treaty of Peace with Mahdajee Sindia, either for himself separately, or with a Reservation in favour of the Peashwa, in case it should be agreed to include him as a Party in the Treaty. I have since received Intelligence that one of my Dispatches has been intercepted, and it is not unlikely that the other may meet with the same Fate. I have also sent a second Letter, of the same Substance with the first, but without Credentials. As the present Opportunity promises a more safe Conveyance, I now send you a Duplicate of my last Letter of Instructions, together with a more full and regular Commission than it was before in my Power to forward to you.

I had Yesterday the Pleasure to receive your Letter of the 17th ultimo. The one which you mention to have written on the 13th has not reached me; I imagine it has fallen into the Hands of Cheit Sing's People. It is with great Satisfaction I observe, from the Deputation of Chimnaje Row, that Mahdajee Sindia has in some Degree anticipated the Overtures of this Government, and that the general Expressions of a Desire of Peace, used at his first Interview with Mr. Ford, indicate a Disposition so consonant with our own. If Sindia should urge the Return of your Detachment beyond the Boundaries of his Dominions, I see no Objection to this Condition being granted; on the contrary, I desire it. There can be no Use for the Continuance of the Detachment after Peace is concluded, nor will there be any Thing in the smallest Degree dishonourable in agreeing to its Return.

The Objects of its Equipment were, to divert Mahdajee Sindia from the Operations on the other Side of India, or to withdraw him from the Alliance of the Ministers of the Peashwa; and these Objects having been effected, its Return becomes a natural Consequence.

We are under no Engagements to protect the present Dominions of the King, nor those of Nudjiff Khan and the Rajah of Jaynagar; and if Peace is settled betwixt Mahdajee Sindia and us, I do not desire that he should be restrained in carrying into Execution any Plans which he may

* See No. 4. B.

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have formed against them ; at the same Time, I think it necessary to caution you against inserting any Thing in the Treaty which may expressly mark either our Knowledge of his Views or Concurrence in them. It will be sufficient for us (and Sindia ought to be satisfied with the Latitude implied in it), if he is only restricted in the Treaty from making Encroachments on our own Territories and those of our Allies, the Nabob Vizeer, the Ranah of Ghode, and Futteh Sing Guycwar : For these, an express Provision must be made. He must in direct Terms engage, that he will never invade, or in any respect molest them, as we will in the same Manner stipulate with respect to his Territories. In my Letter of the 29th ultimo, I instructed you to obtain the Restoration of the Chundery Rajah, and to secure the Interests of the Rajah of Nurwar, and any other Chiefs who have been active in our Cause. This Subject I must now leave to your Discretion, as it is not in my Power to send you such explicit Instructions as I could have wished, not having Access at present to your and Colonel Camac's Letters, which point out the Nature and Extent of our Connections with each of these Rajahs, and the Claims which their past Services may have given them to our Protection. In discussing their Interests, we must make a Distinction betwixt actual and implied Engagements. No actual Engagements whatever exist between us and any of these Rajahs: Such of them however as have taken an active Part in our Cause, are entitled to some Degree of Consideration. You who are on the Spot can best judge of their several Merits, and will attend to them as far as you may be able, without hindering the more important Objects of your Negotiations.

It seems probable, that few Difficulties will arise in settling a separate Treaty with Mahdajee Sindia ; and this is the Object which I have principally at heart. Let it not be impeded or retarded by the Obstacles which may occur in adjusting the more complicated Matters remaining in Dispute betwixt us and the Peashwa. A Peace with the one must soon produce a Peace with the other. Let an Opening be left for it in the Treaty with Sindia, on the Terms I have mentioned ; and though these Terms comprehend in our Favour every Object which we could desire, yet they are, on the whole, so advantageous to the Peashwa, that I think his Ministers will acquiesce in them, rather than continue a precarious and expensive War, deprived of the Support and Assistance of Mahdajee Sindia.

It will be necessary to stipulate, that in case they shall not accede to the proposed Terms of Peace, Mahdajee Sindia shall not, directly or indirectly, assist them, or suffer any of his Tributaries or Subjects to assist them, with Men, or Money, or Arms, or any other Means of carrying on the War against us.

This must either be expressly stipulated, or so clearly and strongly implied, that no Doubt shall remain regarding it.

In the Event of a Peace being settled with the Peashwa, it will perhaps be thought proper to recal General Goddard's Detachment, and their best Route lies through Mahdajee Sindia's Territories. With a View to such an Event, you will stipulate with Mahdajee Sindia, that he shall allow them a free Passage, and assist them in procuring Provisions and other Necessaries on the Road.

I enclose a Letter which I have written to Sindia, informing him of the Powers which I have delegated to you, and desire that you will urge him to an immediate Decision on the Propositions which you have to make to him. Inform him, that any Delay or Evasion on his Part may preclude an Accommodation for ever ; and that by your Answers I shall be regulated in entering into another Plan of Connections, which will not only prove an insuperable Bar to the Views he has at present formed on the Northern Provinces, but draw such a powerful Attack on his own Territories as must infallibly end in his Expulsion and Ruin.

If after the Conclusion and Execution of the separate Treaty with Mahdajee Sindia, he should desire to promote a Peace between us and the Peashwa, I will appoint a Person with full Powers to negotiate the same, through the Channel of his Introduction and Mediation.

I am, &c.

Warren Hastings.

NUM. 4. C.

Extract of a Letter from the Governor General to the Governor General and Council ; dated Banaris the 22d of October 1781.

I have already expressed my Approval of the Orders sent to Bombay, and to Brigadier General Goddard, on the 24th September, against a Plan of offensive Operations, and an Augmentation of the Military Establishment on that Coast. The Reasoning in favour of an Increase of their Army is doubtless overset by their own Confession of an Inability to maintain what they have already ; and we are unable to supply them. I have not yet seen the Plan of offensive Operations recommended, but I am generally against it, not being able to discover to what useful Object it can tend. Be it what it may, this Government has no Object but a Peace ; we have acquired all that we sought for when we were forced into the War, and we have offered to part with a large Share of that All, to effect a Peace. But I am influenced by still further Reasons for approving of the Orders sent to Brigadier General Goddard ; and these I shall now recite, first making an Apology to the Board for not having before given them public Information of the Facts on which they were grounded. I alluded to them distantly in an official Letter which I wrote to Mr. Wheler from

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Chunar ;

Chunar; but from a Fear of its being intercepted, it was expressed with so much Caution, that I fear my Meaning may not have been exactly understood. In a private Letter, which I have since written to Mr. Wheler, I have been more explicit, and shall be obliged to him, if he will be pleased to lay before the Board, and record on their Proceedings, such Part of it as relates to the Subject.

I was made to understand, by a Letter which I received from Colonel Muir, and by distant Advances made to me after my first Arrival at this Place, that Mahdajee Sindia was very desirous of a Peace. His Wishes coinciding with those of our Government, I sent Orders to Colonel Muir to negotiate, and full Powers to conclude, a separate Peace with him; accompanied by Instructions for the Colonel's Guidance, in fixing the Conditions of it. As these appear to be the Orders on which a Treaty has since been prepared, I transmit a Copy of them enclosed for the Information of the Board, together with a Copy of my Credentials to Colonel Muir. They were both drawn up to go in the smallest Compass possible, on account of the Danger to which our Letters were exposed at that Period. Soon after I had dispatched these Orders, and before they could reach Colonel Muir, I received from him a Communication of his Correspondence with Sindia with respect to the Conditions of a Peace; and was happy to find by it, that the Conditions to which Sindia would agree, were, except in very trivial Instances, the same as those which I had empowered Colonel Muir to yield.

I have the Honour to transmit inclosed, for the Information of the Board, a Translation of the Proposals made to Colonel Muir by Sindia's Dewan, on the Part of his Master; a Copy of my Replies, and of a Letter which I wrote with them to Colonel Muir on the 11th ultimo. A Truce had been respectively agreed on between the Two Commanders, and my Instructions to Colonel Muir fortunately reached him before the limited Period of it was expired. I have been for some Time in hourly Expectation of hearing that the Treaty was concluded, having had the Satisfaction to learn from Colonel Muir, that neither the Acts of Cheit Sing, nor the worst State of our Affairs in this Country, even in the most exaggerated Accounts of them, appear to have affected the amicable Disposition of the Marattah Chief; but as it will afford the Board some Pleasure to know what Progress Colonel Muir has made, I have the Honour to subjoin an Extract of the last Letter which I received from him, under Date the 6th Instant.—“The Treaty is at last fairly made out, and is this Day transmitted to Sindia for his Approbation. Tomorrow it will be returned, and if approved, Captain Ford will be dispatched to his Camp to see his Signature and Seal affixed; after which Interim, I shall be able to write you fully on every Part of the important Charge intrusted to my Management.”—To this Information I beg the Board's Permission to add an Extract of a private Letter received from Colonel Muir's Camp, of a still later Date.—“Leffai, 11th of October 1781. The Treaty is ready, and Ford is to set out this Morning for the Marattah Camp to have it executed by the Pateel*, as he has already approved of the Articles in it.”

The Board will observe in Sindia's Proposals for a separate Peace, that he promises his Interposition at Poona, for effecting a general Peace with the Marattah State; and as in such Event it will be necessary to take some further Steps for securing Success to so desirable an Object, I shall soon have occasion to address the Board again on this important Subject.

NUM. 4. D.

Copy of a Letter to the Governor General and Council, dated the 25th of November 1781, respecting the Appointment of Messrs. Anderson and Chapman.

To Edward Wheler, and John M'Pherson, Esqrs. Members of the Council of Fort William.

Gentlemen,

I have the Honour to transmit to you Copies of my Instructions severally delivered to Mr. Anderson and Mr. Chapman; the former deputed to Mahdajee Sindia, and the latter to Naugpoo. Both are so consonant to your Wishes, and to the Command of our Honourable Superiors, that they will need no Comment or Explanation; unless it shall appear, that the Mission of Mr. Chapman is rather ostensible than real, little being given him in Charge, but to preserve the Friendship unimpaired between the Government to which he is deputed and ours. In effect, the Advantages proposed by it are rather contingent, than such as could be prescribed as determined Objects; an Attention was necessary to an ancient and approved Friend of our Government, on the Occasion of our availing ourselves of a different Influence. I have judged it necessary to provide for a new Channel of Correspondence with that Government itself, having lost that on which I had hitherto placed a confident and effectual Reliance, in the Dewan Dewaugur Pundit. But my principal Hope from this Deputation is, that it may prove the Means of quickening the Conclusion of the Peace with the Marattah State, by making it an Object of Competition to the Two most powerful Members of it. It is not the professed Object of Mr. Chapman's public Credentials, and therefore not liable to any just Grounds of Jealousy in Mahdajee Sindia; but from my Experience of the general Tenor of the Policy of the late Dewan, which the Veneration paid to his Judgment,

* Mahdajee's Title.

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especially by the Rajah himself, will continue to make the Rule of the present Administration, or whatever may decidedly succeed to his, I have no Doubt that either the Rajah will endeavour to counteract our Endeavours to obtain a Peace, that we may ultimately have Recourse to him for effecting it; or that he will himself precipitate it, if he sees it likely to be accomplished by another, that he may have the sole Merit of it, and preserve his Consequence with both Parties, by having been the successful Mediator between us. You will observe, that I have sufficiently guarded Mr. Chapman's Instructions against the Possibility of their clashing with Mr. Anderson's.

I am certain that Mr. Chapman will think it no Degradation to act under the Controul of Mr. Anderson, for whose Abilities he entertains a very high and deserved Respect.

Mr. Anderson left Banaris, to proceed on his Deputation, on the 5th of this Month, and Mr. Chapman on the 17th: The former accompanied by his Brother, Lieutenant Anderson, whom I appointed his Assistant, granting him the Allowance usually annexed to such Office; and by Tuffuzul Hooftain Khan, a Native of the first Abilities in Indostan, who had been employed by me under Major Palmer, during his Deputation to the Ranah of Ghode, and had rendered material Services to our Government, and who I knew would be very useful to Mr. Anderson in his Negotiations, from the Character which he bears throughout the County for his Integrity and Knowledge: His Salary I fixed at a Thousand Rupees per Month. Mr. Chapman is accompanied by Mr. John White, whom I have appointed his Assistant, with the same Allowance that is given to Lieutenant Anderson; and as the Service on which he is employed is merely temporary, I should hope that the Offices which he holds in Calcutta will not be considered as vacated by this Appointment. Mr. Anderson is authorized by me to draw the same Allowances that were given Colonel Upton, when appointed to the Court of Poona; and Mr. Chapman the same that are given to Mr. Anderson.

I request the Board will be pleased to communicate to Mr. Anderson any Orders which they have lately sent, or may hereafter send, to Brigadier General Goddard, that may be necessary for his Information, or any Instructions given to our Resident at the Court of Hyderabad, respecting the Nazim's Mediation of Peace between us and the Marattahs, that the whole Subject may be completely before him.

Colonel Muir having been unable yet to furnish me with the Particulars of the late Negotiation with Mahdajee Sindia, by reason, as his last Letters mention, of the dangerous and continued Sickness of Captain Ford, to whom he had committed the Execution of that Business; and having transmitted to me the Persian Copy of the Treaty, I have the Honour to forward the same for your present Information.

Chunar,
25th of November 1781.

I have the Honour to be, &c. &c.
Warren Hastings.

NUM. 4. E.

Translation of the Treaty concluded by Colonel Muir with Mahdajee Sindia on the 13th October 1781

Treaty concluded by Colonel Muir on the Part of the English Company,
and Maha Rajah Subadar Madho Row, on his own Part.

MR. WARREN HASTINGS, Governor General of Bengal, in virtue of the Powers vested in him by the Governor General and Council of Bengal, having fully empowered Colonel Muir to settle a Treaty of Peace between the Maha Rajah and the Company in this Manner, That whatever he may conclude on the Part of the Company, shall be binding on the said Governor General and Council; and the Maha Rajah and the Colonel being both desirous of a Peace, have concluded one on the following Terms:

ARTICLE 1. Peace and Friendship being solidly established between both Parties, each will remain to their Agreement.

ARTICLE 2. Within the Space of Eight Days from the sealing of the Treaty by both Parties, both Armies shall at one Time begin their March. Colonel Muir with his Camp shall return to the Territory of the Nabob Vizeer, and the Maha Rajah with his Army to his own Country.

ARTICLE 3. If it should be approved, the Maha Rajah will mediate a Peace with Hyder Ally Khan and the Company, and also a Peace between the Peashwa and the Company: If Peace should take place in consequence, it is well; if not, the English Gentlemen are left at Liberty to act as they please, and the Maha Rajah will give no Interruption.

ARTICLE 4. Colonel Muir restores to the Maha Rajah the Territories belonging to him on this Side of the Jumnah, of which the Company have possessed themselves; and the Maha Rajah agrees not to invade the Country of Loke-inder Ranah Chetter Sing Behadre, or Gwalliar, which is now in his Possession, or the Territory of Mehij Rajah Ram Sing Jug-inder Behadre, now also subject to him, provided he (the said Ranah) shall not behave improperly.

ARTICLE 5. The Maha Rajah will restore Ram Chunder, Rajah of Chundery, now under the Protection of Colonel Muir, to his Government, and will make no Demand on him whatever; the Maha Rajah will take the Whole of the said Rajah's Country from his treacherous Dewan,
Radjyo

Radjyo Dehir, who rebelled against him, and he will restore it all to him, except what has for a Length of Time been subject to the Peashwa; and the Maha Rajah will expel the said Radjyo Dehir.

The above Articles are ratified by the Seals and Signature of Col. Muir on the Part of the Company, and the Maha Rajah on his own Part, on the 13th of October 1781, answering to the 24th of Showal 1195 Higerah.

NUM. 4. F.

Copy of the Instructions given to Mr. Anderson on the 4th of November 1781.

Mr. David Anderson.

Sir,

I having already delegated to you by a formal Commission the full Powers and Authority vested in me by the Governor General and Council, for the Purpose of negotiating and finally concluding a Treaty of Peace and Alliance between the Company and the Marattah State, and reposing the firmest Reliance on your Abilities and Integrity, I recommend to your attentive Consideration and Observance the following Instructions, for the easier and more effectual Attainment of the great Object of your Deputation, and other Purposes dependant upon or connected with it.

The Peace lately concluded between our Government and Mahdajee Sindia opens a fair Prospect for the Success of your Mission, by the Offer which that Chief has made to interpose his friendly Offices at Poona for an equitable Accommodation. The great Credit and Influence which Sindia possesses in the Marattah State, leaves no Room for Apprehension that his Endeavours will prove ineffectual, if he exerts them sincerely and heartily.

It is therefore with a View to dispose him more strongly to our Interests, that I desire you to repair to him, to give him the strongest Assurances of my personal Esteem and Friendship, and of my Desire to cultivate and improve the Connection which has lately been formed between us. The most effectual Means of accomplishing these Purposes, would be a personal Interview between Sindia and myself; and I desire that you will endeavour to draw from him his Sentiments concerning it, and advise it, if you find him disposed to it, but do not abruptly or formally demand it. Should he be equally inclined to meet me, you may propose Allahabad or Khanpoor as the Rendezvous; but if neither of those Places should suit his Convenience, I will go to Etawa, or any other Place on the Banks of the Jumnah, that you may judge my Time will admit of. If Sindia should either decline an Interview altogether, or not afford you a proper Encouragement to recommend it, it must then rest entirely with you to effect my Views, which are as follows; first, obtain, through the Mediation of Sindia, and in Concert with his Agent, if he shall think proper to depute one for that Purpose, a Treaty of Peace and Alliance, offensive and defensive, with the Peashwa, against all common Enemies, but especially against Hyder Ally Khan; or of Peace simply on the Condition of restoring all that we have acquired during the War, except Ahmedabad, and the Territory conquered for Futteh Sing Guicwar.

We cannot totally abandon the Interests of Ragonaut Row; endeavour to obtain for him an adequate Provision on the Conditions prescribed in General Goddard's Instructions.

You may consent to yield what is ours, and what we can in Honour grant; but we will never suffer our Treaties to be infringed, nor our Faith to be violated. You will of course be attentive to any Engagements subsisting between us and other Powers, in settling the Terms of Peace and Alliance with the Marattahs. I except from this Precaution the Ranah of Ghode, who has been guilty of the most flagrant Breach of Faith towards us in every Instance, after a most faithful and scrupulous Performance of every Stipulation in his Favour by us, and after we have saved him and his Country from certain Destruction. Leave him to settle his own Affairs with the Marattahs: Colonel Muir will give you complete Intelligence concerning the Ranah's Conduct, and from this you will judge whether he is worthy of being any longer considered as our Ally.

Reserve Basseen if you can, even though it should be with the Concession of restoring all the Lands obtained by the Treaty with Colonel Upton, except Salfett, and the ceded Islands, and the ceded Moiety of Baroach; but do not insist on the Reservation of Basseen, to the Hindrance of Peace. We want nothing from the Marattahs but their Alliance against Hyder Ally Khan, and that we dispense with, as the Effect of a positive Engagement to which they cannot perhaps in Decency agree, although they may be desirous of availing themselves of any Pretext which may lead to it without a direct Breach of their public Faith.

Be careful that your Engagements do not contain any Thing hostile to the Government of Berar, or hurtful to our Connection with it.

Include Futteh Sing Guicwar in the Peace, according to the Treaty concluded with him, of which you have a Copy.

Obtain the Exclusion of the French, and all other European Nations, from the Alliance, and from the Ports and Dominions of the Marattahs.

It must be a principal Object of your Attention to prevail upon the Marattah Government to invade the Dominions of Hyder Ally Khan. They will not enter into public Engagements for that Purpose,

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Purpose, as they are at present in Alliance with him; but Pretexts will not be wanting, when they shall perceive the Facility of making Conquests upon him. •

Endeavour to interest Sindia in all these Views with the Administration at Poona, and to engage him separately, or with Tuckoojee Hoolcar, into closer Connections with our Government by the Prospects of mutual Advantage. I leave a large Latitude in this Instruction to your Discretion. You know my Views, which are for present Peace and future Security. Pursue and agree to whatever may promote these Views. Reject and shun whatever may obstruct them, and especially such as may draw us into a new Scene of Hostilities.

Wait upon Colonel Muir in his Camp at Etawa, before you proceed to Sindia, and obtain from him every Information and Advice which can be useful in your Negotiations with that Chief.

Since your Departure, Rajah Moodajee Boolla has requested, that a Gentleman in my Confidence might attend him, as the Agent of our Government, at his Court; and I have given this Commission to Mr. Chapman. I lend you a Copy of his Instructions. You will furnish him with such Communications and Orders from Time to Time, as you may judge will tend to promote the Success of your Negotiations.

Banaris,
the 4th of November 1781.

I am, &c.
Warren Hastings.

NUM. 4. G.

Copy of the Instructions given to Mr. Chapman on the 12th of November 1781.

To Charles Chapman, Esquire.

Sir,

The Rajah of Berar having expressed a Desire, that an English Gentleman in my Confidence may be sent to his Court, I have thought proper to comply with his Request; and depute you thereto accordingly. Your Credentials are inclosed.

You are to consider the first Object of your Commission to be, to strengthen and encrease the Friendship and Alliance virtually subsisting between the Company and the Berar Government. You will be furnished by the Secretary at the Presidency with Copies of all the Papers that are material to your Information respecting the Relation in which the two Governments stand to one another; and the Persian Translator has Orders to give you Copies of such Part of the Correspondence between them as you may require.

Should any Circumstances occur that may present a favourable Opportunity to the Rajah to act offensively against Hyder Ally, and he or his Ministers should shew a Disposition to employ the Berar Forces in doing so, you will encourage it, and acquaint the Board with any reasonable Conditions on which such Aid may be proffered.

The indecisive Conduct of the Berar Government, subsequent to its Offer of Mediation and Guarantee of a Peace between the Company and Marattah State, having thrown the Credit and Honour of such Interference into other Channels, you can now only accept of the Assistance which the Rajah's Influence, as a Member of the Marattah State, may enable him to afford, for effecting a speedy Termination of the War, unless the other Members of the Marattah State should require or approve his Guarantee, of which you will be advised by Mr. Anderson: And on this, and on every other Occasion which may result from his Negotiations, you will act conformably to his Advice and Requisition.

Should the Rajah, as he declares his Intention to be, pay a Visit to Poona, and invite you to accompany him, you will comply with his Desire; but as Mr. Anderson has been deputed by this Government with full Powers to conclude a Treaty of Peace with the Marattah State, you are on no Account to enter upon any Negotiation but at his express Requisition; and you are, in every Respect to consider yourself as subordinate to him, and to promote the Object which he has been appointed to accomplish.

In this Qualification of your Powers, I know that I conform to your own Wishes; but should any unforeseen Accident happen to Mr. Anderson, that will prevent him from being present at an Assembly of the efficient Members of the Marattah State, or otherwise acting on the Orders given him, and he shall write to you to that Effect, and you yourself be on the Spot, and find them disposed to accommodate their Disputes with the Company, the Powers entrusted to Mr. Anderson are in such Cases to devolve on you, and you will act in conformity to his Instructions, a Copy of which is given to you inclosed, and to such further Instructions as he shall give you.

Mr. John White is appointed your Assistant in this Deputation, and he and yourself are authorized to draw the fixed Allowances usually given to Persons employed in your respective Capacities.

Banaris,
12th November 1781.

I am, &c.
Warren Hastings. ✱

● NUM. 5.

Letter to the Governor General and Council, dated the 22d of November 1781, respecting the new Regulations for the Collection of the Customs within the Zemedyary of Banaris.

To Edward Wheler and John M^{rs}Pherson Esquires, Members of the Council of Fort William.

Gentlemen,

The Mode of collecting the Customs on Merchandize passing through this Province, being attended with much Abuse, and the Rates unequal, being proportioned to the Load, not to the Value of the Goods; I have issued Orders that the Customs shall be hereafter collected only at Three Stations; namely, Mirzapoor, Banaris, and Ghauzipoor, by appointed Officers instead of Farmers, and according to a new Table of Rates formed on the ordinary Prices of the Goods; the Duty to be levied thereon at the Rate of 5 per Cent. and in one single Payment.

Inclosed are Copies of my Orders to the Rajah, and to the Resident, and of the Table of Rates.

I have the Honour to be, &c. &c.

Warren Hastings.

Chunargur,
the 22d of November 1781.

NUM. 6.

Letter from the Resident at the Court of the Nabob Vizeer, containing a Relation of the Rebellion in Gooruckpoor, &c.

To the Honourable Warren Hastings Esquire, Governor General, &c. &c.

Sir,

When I had last the Honour of seeing you, I more than once urged my Reasons for thinking that the Rebellion of Rajah Cheit Sing was but a Part of a larger and more extensive Plan, which was, by the good Fortune of your Arrival, prematurely brought forward before all the Parties to it were united and properly prepared for Action. In support of this Belief, and to prove that I am far from being single in the Espousal of it, I beg leave to trouble you with some Extracts from the Letters I received from Colonel Hannay, written from the Time of the first breaking out of the Rebellion to my Return to Lucknow. His Situation for obtaining the Knowledge he imparts, his Experience, and his Judgment to guide what he advances, must make his Sentiments of Weight and Authority.

In his Letter of the 8th of September from Fyzabad, scarcely Ten Days after he had set about obeying the Nabob Vizeer's Orders to march with his Force to your Assistance, he writes, " That the whole Country on the East Side of the Gogra was in Arms and Rebellion; his own Troops deserting, and the single Companies scarcely able to join other Detachments; the Forts of Gooruckpoor, Bilma, and Dumreeagunge, taken from the Aumils by the Zemedyars; and that even Hircarrahs cannot pass; so that all Communication of Intelligence from his other Detachments under Major M^{rs}Donald, Captain Williams, and Lieutenant Gordon, was cut off, and at an End." He adds, " This Town (Fyzabad) has more the Appearance of belonging to Cheit Sing than the Vizeer. The Begums have placed Guards to prevent any of my People going to the Bazar in it. Within these few Days Sheakh Chaan, with near 1000 Horse and Foot, has marched from hence to Banaris (they were raised here); and I must confess, that for my own Part I have no Doubt but Jewar Ally Khan and Behar Ally Khan, through their Agents, have stirred up all the Disturbances which extend from hence to Powey and Azeemgur. I have sent Hoolaus Roy to the Begum, to enquire into the Reason of my People being prevented from going into the Town, Cheit Sing's being suffered to raise Troops here, and why her Servants attempted to prevent my getting Boats to transport the Company's Guns and Horse from Amora. I have also desired she will give Orders for seizing the Family of Sheakh Chaan (above mentioned); and when Hoolaus Roy returns, I will write you her Answer. In Kheirabad, Sylack, and all the Country on the (West) Side of the Gogra, between Fyzabad and Kheirabad Bud-amly * in Perfection; the Aumils flying before the Gong-wars, and Cannon firing at all Hours. Cheit Sing has sent Money to Futteh Shah, Ghinoo Roy, Ajeetmull, Zalim Sing, and all the refractory Rajahs, to enable them to raise Men.—I this Moment received Gordon's Account of the Loss of his Detachment, which puts my March to join you out of the Question. It happened by the Villany of the Fougedar of Tanda, Shum-sheer Khan, a Cheelah of Behar Ally Khan, who turned his Guns upon the Detachment; and an unfordable Nullah in Front, and many Thousands of Rajepoots, who had fought them all the Way from Chowra Ghaut, made the Sepoys despair. Zalim Sing and Puttypaul Sing mean to attack M^{rs}Donald To-morrow, with 2100 Men. Behar Ally Khan deserves Death, as the Loss of Gordon's Detachment can only be imputed to him. His Cheelah would never have acted

* Disorder.

PART I.

“ so damning a Part without Orders from him. Jewar Ally Khan, in the Choke of Fyzabad, affects every Man who bears the Appearance of a Soldier, why he goes not to Cheit Sing for Service. I mention these Circumstances, that you may mention them to Mr. Hastings and the Nabob, and the necessary Steps be immediately taken to prevent what Delay will render a very serious Matter. A few Days more will lead the Ferment which is here to Lucknow. If the Nabob insists upon my proceeding, I must bring every body with me, for whoever is left behind will be sacrificed.”

On the 7th of September Captain Williams writes, “ Upon my Arrival here I found that Part of Futteh Shah’s, Ghino Roy’s, and Ajeetmull’s People, had crossed to Manjowlay. They have been urged to this Step by Cheit Sing, who has supplied them with a considerable Sum of Money, and promised them great Sums, if they will put the whole Country into Confusion; 5000 Men are on the opposite Side of the River ready to cross; Futteh Shah has written to all his Adherents to be in Arms; *Saadut Ally and the Begums* are concerned deeply in the late Business.” In a subsequent Letter, received immediately after the above, but without Date, Colonel Hannay says: “ I have before told you how violently the Begum’s People inflame the present Disturbances; and, in Addition to this, the principal Zemeeendars and Rajahs have all Certificates, under the Seal of Cheit Sing, that he will supply them with whatever Money they may require for subsisting all the Troops they can raise. In a very short Time I apprehend the greatest Part of the Nabob’s Dominions will be in the State we are in here; and it is the general Belief of every Man in this Part of the Country, that the Conduct I have related is a concerted Plan for the Extirpation of the English. What may be the Situation of the rest of the Nabob’s Dominions I know not; but it is most certain, that from Goonda to Manjee, and from Fyzabad to the Banaris District, and across from the Gogra to the Ganges, the Country is in the utmost Ferment. Should the present Disturbances proceed from a Plan of Policy, it will be concealed from you as much as possible, and therefore I take all possible Means of communicating to you what I really know to be fact. I know not whether the Dawks pass freely from you to Lucknow; but if they do not, and no Measure is immediately taken to bring about Order, and draw the Troops together, we may be deprived of all possible Means of assisting one another, and the Army lost by detached Regiments. We have no Communication with Bengal, and the Troops on this Side Banaris are at present too much separated to yield one another timely Assistance. I hope to God a sufficient Force is ordered for the Reduction of Cheit Sing; *for the People who are daily sent to him, Horse and Foot, from Fyzabad*, and the Seat of Rebellion I have before named, is very great.”

In his next of the 13th he says, “ It is impossible, in the general Insurrection which now reigns almost universally, for me to get the Force together the Nabob demanded, or to force my Way to you with a less. The greatest Anarchy prevails. The present Insurrection is said, and believed, to be with an Intention to expel the English. I am compelled to give up all the Country below Goonda. Be upon your guard against the Vizeer, for there are many Circumstances to make me believe he means to espouse the Cause of Cheit Sing; the *Begums* have almost themselves recruited for him.”

In his next Letter of the 18th he says, “ If you meet but with a Check at Banaris, every Man in the Country is ready to fall upon your scattered Parties.”—“ The State of the Vizeer’s Dominions is in general beyond Description; the Insurrection is not partial, but generally spread throughout the whole, though it rages most violently in the Mehals of Sultanpoor, the Mehals from Fyzabad to the Banaris Country, the Mehals on this (East) Side of the Gogra, and in Koonry, Kheirabad, and Sylack; and if I may trust to the Information I receive, it is already begun, and will soon rage as violently, in Shajehanpoor, Rohilcund, Kora, and the Doaub. I have already and repeatedly informed you of the Dispositions of those in Power in Fyzabad, which has in fact been one of the great Sources of the Insurrection, and the Place of all others in the Vizeer’s Dominions which has supplied Cheit Sing with the greatest Number of Troops. The old Begum does, in the most open and violent Manner, support Cheit Sing’s Rebellion and the Insurrection; and the Nabob’s Mother’s accursed Eunuchs are not less industrious than those of the Burra Begum. Capital Examples made of Jewaur Ally Khan and Behar Ally Khan would, I am persuaded, have the very best Effect.”—On the 20th he says, after re-stating his own imminent Danger, “ I have already written you so fully my Reasons of being convinced of the Treachery practised at Fyzabad, and which, I am afraid, extends to your Camp, that I need say no more on the Subject;” and again mentions the general Insurrection.

The Truth of these Positions I found most fully proved upon my Return, but observed in particular, that the most vigorous Efforts were limited to the Jagheerdars, among whom the Begums, Fyzullah Khan, and Luttafut Ally Khan, distinguished themselves. However, the Nabob’s Return, the Victories gained by the Troops with you in the total Reduction of Cheit Sing’s Country, and the March of the Two Regiments from Khaunpoor to our Assistance here, have unitedly contributed to restore Matters nearly to their usual Tranquillity. The Example most necessary to be made of the Two active and turbulent Eunuchs, mentioned by Colonel Hannay, remains yet to be done, as well as of a Villain now in Confinement, who had assembled 5000 Gongwars* for the avowed Purpose of rescuing Two principal State Prisoners from their Confinement.

ment with the Nabob, and, as it is universally believed, to make an Attempt upon the Treasury, for which he had fixed the Day of the Duffarah; but was most happily detected, seized only a Day before by the Vigilance of the Cutwal, and the Fact proved by Papers found in his House. Unless Spirits of this Sort be controuled, the worst of Consequences may be expected from the Neglect, should (which God avert!) any fresh Opportunities occur.

I have the Honour to be, with Respect, &c. &c.

Lucknow,
the 17th of September 1781.

Nath. Middleton.

NUM. 7. A.

Translation of a Sunnud granted to Rajah Cheit Sing, for the Zemeedary of Banaris, &c. by the Governor General and Council.

Be it known to the Muttasuddies in Office, present and to come, Caunoongoes, Mekuddums, Reyots, Cultivators, and to all the Inhabitants and People resident and belonging to Sircar Banaris, Ghauzipoor, and Chunar, in the Soobah of Illahabad, That whereas by virtue of a Treaty with the Nabob Assof-ud-Dowla, concluded on the 20th of Rubby-ul-Auwul 1189 Higerah, or 21st of May 1775, the Government and Sovereignty of the Sircars above-mentioned have been ceded to the Honourable East India Company, from the 4th of Jemaady-ul-Auwul 1189 Higerah, or 4th July 1775: The said East India Company therefore, in virtue of the Rights thereby obtained, do confirm unto Rajah Cheit Sing the Zemeedary, Aumeenee, and Fougedaree of the Sircars, agreeably to the Zimmen*, together with the Cutwallees of Jounpoor and Banaris, and the Mint of Banaris, from the said Date; whatever Gold and Silver shall be coined in the Mint, the said Rajah shall coin conformably to his Mochulka. He is not to be in the smallest Particular remiss in the Observation and Execution of the several Duties incumbent on him; he is to behave with Moderation and Kindness to the Reyots and People, to promote the Cultivation and Increase of the Inhabitants, and Produce of the Lands, expelling Thieves, nightly Assaulters, and Robbers, and so effectually punishing the Disturbers of the Peace, that no Trace of them may be seen; and he is to pay a Tribute of 23,40,249 Banaris Muchlidar Rupees, or 22,66,180 Calcutta Siccas, Annually to the Company's Treasury. Should he receive Orders to pay the above Revenue at Banaris, he shall in that Case pay the Sum of 23,40,249 Banaris Muchlidar Rupees, each Rupee to weigh 10 Masha, and to contain Two Ruttees and Two Chowls† of Alloy, and no more; should the Weight be less, or the Alloy more, he shall make up the Deficiency. Whenever the Money shall not be wanted at Banaris, he is to remit the Annual Amount of 23,66,180 of Sicca Rupees, punctually, agreeably to his Kits, and by Monthly Payments, at Calcutta; in Consideration of which he shall be allowed a Deduction of Two per Cent. amounting in all to Sicca Rupees 44,434. 14. 5. Account of Hoondiaun or Exchange; which being deducted, the net Amount is 22,21,745. 1. 15. Sicca Rupees of Calcutta, which he is to pay at that Place. After the Settlement of Accounts at the End of the Year, he shall, in the customary Manner, receive Credit for his Payments; and he is by no means to collect the prohibited Aubwaub of the Durgah of His Majesty. This Sunnud being granted, is to remain in force, and all former Sunnuds to become null and void. You, the Muttasuddies and Persons above-mentioned, are to regard the said Rajah as truly and lawfully possessed of the Zemeedary, Aumeenee, and Fougedary of the above Sircars, and to acknowledge his Authority in the several Acts appertaining thereunto: Know, that we have here issued the most strict and positive Commands, and obey them accordingly.

Written on the 25th of Suffer 17 Sun, or 15th of April 1776.

(Signed by the Governor General and Council.)

THE ZIMMEN.

The Office of the Zemeedary of Sircar Banaris, Ghauzipoor, Chundery, the Cutwallce, the Duties, and the Mint in the Soobah of Illahabad, have been conferred upon the great Chief Rajah Cheit Sing Behadre, also the Aumeenee, and Fougedary.

MEHALS, 19; viz.

Sircar Banaris; Chundery; Sircar Ghauzipoor; Mehals of Jounpoor, comprehending Maul and Duties; Haveli Mahommedabad Banaris; the Khaufs Daums, or for supplying Clothing to the King; Pergunnah Bhuddovee; the Taulook of Sacramow in Chundar; Suckteesgur; Bidjeypoor; Sekunderpoor; Khreed Shaudeeabad; Tuppa Serinja; the Cutwallce and Duties of Banaris, free; the Cutwallce of Jounpoor, free; the Mehal of the Mint of Banaris, free; the Banaris Mokeemy, or Brokerage; the Sungwuzzenee, or Stone Weighing of Banaris, and the other Mehals; Yetesfaube, or Office of Moottesfaub of Banaris.

* Particulars.

† Grains.

PART I.

NUM. 7. B.

Copy of a Pottah, granted to Cheit Sing.

The Pottah, containing the under-written Stipulations, is granted unto Rajah Cheit Sing Behadre.

Sirkar Banaris, Ghauzipoor, Chunar, and the Mehals of Sirkar of Jounpoor, comprehending the Maul and Duties, Haveli, Mahommedabad, Banaris, the Khaufs Daums in Pergunnah Bhuddovee, Talook of Sunkeramow in Pergunnah Chunar, Suckteesgur, Bidjepoor, Sirkar Ghauzipoor, Pergunnah Sekunderpoor, Khareed, Shaudyabad, Tuppeh Serinja including the Cutwallee Duties of Jounpoor and Banaris, the Mint of Banaris, the Mokeemy, Yetislaub, and Stone Weighing, both Maul and Duties, and the Duanny Duffoor, excepting the Naunkar of Half the Jagheer of Bhuddovee, the exempted Jagheers, and Ayma, which have been inserted for a Length of Time in the Accounts as Deductions: All the Articles of the Tahood are settled upon you from the 4th of Jemaudy-ul-auwul 1189 Higerah, or the 4th of July 1775 English, at a Stipulation per Annum of 23,40,249 Mahidar * Banaris Rupees, not short of the Weight of 10 Masfa each, and not containing a greater Portion of Alloy than Two Ruttees and Two Beringe †, agreeably to your Mochulka and Cobooleeat. This Sum you will therefore pay. But should it not suit the Convenience of the Company to receive it at Banaris, you are to pay it in Calcutta, in Sicca Rupees of Calcutta, amounting in that Specie to 22,66,180 Sicca Rupees. The Amount of the Hoondiaun or Exchange allowed you, at the Rate of Two per Cent. is Rupees 44,434. 14. 5. which being deducted, the net Sum will be 22,21,745. 1. 15. Sicca Rupees of Calcutta. This you are to pay without the least Deduction or Depreciation whatever, in the Course of each Year, by monthly Payments, agreeably to your separate Kiftbundy. This you are to pay without any Allowance for Seebundy; you will remit the Money to Calcutta without fail, conformably to the said Kiftbundee.

Written on the 26th of Suffer, 17th Year of the Reign, or 15th of April 1776.

PARTICULARS of the Tribute; viz.

Former Cobooleeat	—	—	—	—	20,86,607	—	—
Deduct,							
Nancar	—	—	—	9,800	—	—	
Exempted Lands	—	—	—	8,000	—	—	
Maafy Fourth Part and Serj Sicca	—	—	—	2,358	—	—	
Half Jagheer of Bhadway	—	—	—	67,500	—	—	
Altanyaw of Muffummaut Moraud Barmfo	—	—	—	500	—	—	
					88,158	—	—
					19,98,449	—	—
Add,							
Nuzzeranna	—	—	—	90,000	—	—	
Tuppa	—	—	—	34,207	12	—	
Mukuma, &c.	—	—	—	1,800	—	—	
					1,26,007	12	—
Increase,							
Total	—	—	—	2,50,000	—	—	
Deduct	—	—	—	34,207	12	—	
					2,15,792	12	—
Batta to reduce them into Siccas				Banaris Rupees	—	23,40,249	—
					—	74,069	—
						22,66,188	—
Deduct Hindooaun	—	—	—	Remains Sicca Rupees	—	44,434	14 5
						22,21,745	1 15
Remains Nett Amount in Siccas	—	—	—				

Written on the 26th of Suffer 17th Year, or 15th of April 1776.

* The same as Muchlidar.

† Grains.

NUM. 7. C.

Translation of the Cobboleat or Agreement executed by Rajah Cheit Sing, for the Zemeedary of Banaris, &c.

Whereas a Treaty has been concluded between the English East India Company and the Nabob Assof-ud-Dowlah Yaheya Khan Behadre, Huzzubber Jung Nazim, of the Soobah of Illahabad, under Date the 20th of Rubby-ul-Auwul 1189 Higerah, or the 21st of May 1775 Christian, whereby the Sovereignty of the Sirkars Banaris, Ghauzipoor, Chunar, &c. hath been ceded to the English East India Company from the 4th of Jemaudy-ul-Auwul 1189 Higerah, or the 4th of July 1775 Christian; and the Company having granted the Zemeedary, the Aumeenec, and the Fougedary of the aforesaid Sirkars, together with the Cutwallees of Banaris and Jounpooor, &c. and the Mint of Banaris, unto me from the above Date, I do hereby voluntarily consent and agree, under my Hand, that whatever Coins shall be struck in the said Mint, shall be conformably to a separate Obligation, which I have executed under Date the 25th of Zihidja, in the 17th Year of the Reign, and delivered to the Government for the Company. It shall be my Duty to do every Thing that may be needful and usual for the Interest and Security of the Country; to provide for the Welfare of the Inhabitants; to be attentive to the Increase of Cultivation, and Improvement of the Revenues; to use my Endeavours in such Manner to expel Robbers and Assassins, and to punish Offenders of every Kind, that not a Trace of them may be left; and I will pay the Annual Revenue of Government, being at Banaris Muchlidar Rupees of Banaris 23,40,249, each Rupee to weigh no less than 10 Mafha, and to contain no more Alloy than Two Ruttees and Two Chawl, any Deficiency of the Standard to be made good. If the Government shall not have occasion to receive the same at Banaris, I will in such Case pay it at Calcutta annually, by monthly Payments, according to Kistbundee, and conformably to the Fuzul Zile, or Particulars in the Margin, the Sum being Calcutta Sicca Rupees 22,66,180, including Nuzzeranna, &c. but deducting, on account of Hoondiaun or Exchange, a Premium of Two per Cent. which Premium of Two per Cent. upon the whole Sum, being Sicca Rupees 44,434. 14. 5. I will accordingly deduct, remitting the Remainder to the Company's Treasury at Calcutta; so that, after the Deduction of Exchange, I shall pay Nett, and without further Deduction, into the Treasury at Calcutta, the Sum of Calcutta Sicca Rupees 22,21,745. 1. 15. at the End of each Year.—After Payment of the same, and observing the Conditions agreed upon, I shall receive a Release or Discharge in full; wherefore I have written this Agreement, to be adhered to accordingly.

In the Margin follows a List of the Monthly Instalments, dated 25th Suffer, 17th Sun, corresponding with the 15th of April 1776 Christian.

(Signed by the Rajah.)

Seal of the
Rajah.

A P P E N D I X.

P A R T II.

NUM. 1.

Extract from the Secret Proceedings of the Honourable Governor General and Council on the 9th of July 1778.

Resolved, That Rajah Cheit Sing be required in Form to contribute his Share of the Burthen of the present War, by the Establishment of Three regular Battalions of Sepoys, to be raised and maintained at his Expence; and the Governor General is requested to write to him to that Effect.

NUM. 2.

Copy of an Arzee from Rajah Cheit Sing; received 30th of July 1778.

I have been honoured by the Receipt of your gracious Letter, communicating the Intelligence of a War having broke out between the Courts of Great Britain and France, and desiring me to take on myself a Share of the Burthen of Expence. My Patron, I am the Servant of the Sirkar. I will write you more fully hereafter; on all Occasions I am hopeful of your Highness's Favour and Support.

NUM. 3.

Extract from the Secret Proceedings of the Honourable Governor General and Council on the 26th of August 1779.

Resolved, That the Commander in Chief be requested to give Orders to Major Camac, or the Officer in Command of his Detachment, for the March of Two Battalions of Sepoys to Banaris, on the Requisition of Mr. Thomas Graham, the Resident there, and to remain at that Place for further Orders.

Resolved, That the following Letter be written to Mr. Graham.

PART II.

To Mr. Thomas Graham, Resident at Banaris.

Sir,

We have received your Letters of the 16th Instant, acquainting us that Rajah Cheit Sing had declined to pay the Five Lacks of Rupees which we required of him, as his Proportion of the Expences of the War for the current Year.

Having judged it necessary to make this Claim, which was suggested to us by the Urgency of the Case, we cannot admit of any Plea which the Rajah may urge to exempt him from it: Orders have therefore been sent to Major Camac, or the Officer in Command of his Detachment, to march to Banaris, immediately on your Requisition, with Two Battalions of Sepoys, and to wait our further Orders at that Place. We have thought this Step necessary for the Purpose of compelling the Rajah to pay the Quota required of him, in case of Necessity; and we desire that you repeat your Demand, and insist on his Compliance. If the Rajah should still continue to object to your Claim, and refuse Payment, you are to require the Officer in Command of the Detachment to march immediately, in conformity to our Orders, and advise us of your Proceedings. We hope, however, that you will not be reduced to proceed to this Extremity, as it would oblige us to encrease our Demands on the Rajah, by exacting from him the whole Expence of the Detachment from the Day of its March in Addition to our original Claim.

We are, &c.

NUM. 4.

Copy of an Arzee from Rajah Cheit Sing; received 27th of August 1779.

I have been honoured with your Letter, calling on me for Payment of 5 Lacks of Rupees on account of the Expences of the War for the present Year, and understand its Contents.

My Situation is well known to you; and I assure you, without Reserve, that I have no Ability left, nor is there any Mode of Relief for me but in the Exertion of your Favour. I am fully convinced that it is your Desire, who are my Master, to support me, who am your Servant; and last Year you informed Sheakh Ally Nucky, that I should, by any Means, by disposing of my Effects, or by borrowing, make this One Payment, and I should not be called on in future; and that you would take every Means for my Advantage and Support.

I accordingly put in Practice every Method in my Power, and by Loans made good the Requisition. It is now absolutely out of my Power to raise the Sum required; and I am therefore hopeful you will be kindly pleased to excuse me the Five Lacks now demanded of me beyond the Amount expressed in the Pottah, which, through your Favour, I obtained from the Honourable English Company.

This Raje and Zemecetary, and my Dignity, are the Gifts of your Highness; I have judged it necessary to represent to you my Inability and helpless State.

NUM. 5 and 6*.

Copy of an Arzee from Rajah Cheit Sing; received 21st August 1780.

I have been honoured by your Orders, directing me to pay Five Lacks of Sicca Muchlidar Rupees to Mr. Fowke for the War, which still continues; and although my distressed Situation must be known to you from other Quarters, notwithstanding I have been afraid to represent it to you myself, that I have sold my House, and borrowed Sums of Money, from which I am not yet released; yet in Obedience to your Orders I have paid One Lack of Rupees out of the Five Lacks to Mr. Fowke, and shall pay the other Four in Three Months. I request you will send Directions to that Gentleman to allow me that Time, and it shall be punctually paid at the End of that Term. You yourself must be convinced that I have no Abilities or Resources left.

NUM. 7.

Extract from the Public Proceedings of the 26th October 1780.

Copy of a Letter to General Giles Stibbert, Commander in Chief, &c.

Sir,

Having had late Occasion to be much dissatisfied with the Conduct of the Rajah of Banaris towards this Government, in withholding the Payment of the Amount due from him as his Subsidy, we think it necessary to direct, and do direct you to issue Orders to the Commanding Officers of the Battalions at the Stations nearest to Banaris, to march immediately to that Place, and wait such further Orders as may hereafter be transmitted to them.

We are, &c.

* Supposed to have been Two Letters when the Catalogue of the Appendix was written.

NUM. 8.

Extract from the Secret Proceedings of the Honourable Governor General and Council on the 2d of November 1780.

Agreed, That the Governor General be requested to write to the Nabob Vizeer, recommending to him to require from Fyz-Oolla Khan the Quota of Troops stipulated by the Treaty to be furnished by the latter for his Service, being 5000 Horse, to be put under the immediate Command of Lieutenant Colonel Muir, commanding at Futtehgur.

Agreed also, That the Governor General be requested to write to the Rajah of Banaris, requiring him to furnish such Part of the Cavalry entertained in his Service as he can spare for the Service of this Government, and to inform him what Number he can supply; that a Letter be written to Mr. Francis Fowke, directing him to make the same Requisition of the Rajah, and at the same Time to obviate any Jealousy which the Rajah may conceive, that this may be converted to a permanent Imposition upon him by assuring him that the Board will require the Services of those Forces no longer than while the present War lasts, after which they will be returned.

NUM. 9.

To Lieutenant Colonel Blair, or in his Absence the senior Officer at Chunargur.

Sir,

I request that you will give immediate Orders for a complete Battalion of Sepoys, from the Garrison of Chunargur, to march without Loss of Time to Ramnagar, where the Commanding Officer will receive my further Instructions.

As I understand that the Regiment of Sepoys at Chunar is deficient in Arms, I request you will please to complete the Battalion ordered for this Service with Arms from the Magazine, and a Quantity of spare Ammunition.

You will also please to order the Guards from the 11th Battalion to be relieved immediately, that it may proceed complete in Number. Captain Blair, who is here, has my Orders to return immediately to Chunar, and take Charge of the Detachment for Ramnagar, to which I hope you will have no Objection.

Banaris,
16th August 1781.

I am, Sir, &c.

Warren Hastings.

NUM. 10.

To Captain Mayaffre, or Officer commanding the Detachment at Mirzapoor.

Sir,

I desire that on Receipt hereof you will march your Detachment now at Mirzapoor, by the Route of Chunargur, to Ramnagar. To avoid Delay, it will be best to embark your Guns and Stores at Mirzapoor for Chunargur where you may disembark them, and bring such as are necessary for immediate Service with your Detachment by Land.

If you should overtake a Party of Sepoys detached from the Garrison of Chunar, you will join them, and take Command of the Two Detachments until you receive further Orders.

Banaris, 16th August 1781.
(10 o'Clock P.M.)

I am, &c.

Warren Hastings.

NUM. 11 *.

To Major William Popham, commanding a Detachment at Banaris.

Sir,

Having instructed Mr. Markham, the Resident at this Place, to arrest the Person of Rajah Cheit Sing, I desire you will order Two Companies of Sepoys from your Detachment, to hold themselves in Readiness to march at a Moment's Warning, on Mr. Markham's Requisition, for the Purpose of assisting and supporting him in the Execution of my Instructions.

I am, Sir, &c.

Banaris,
15th August 1781.

Warren Hastings.

NUM. 12.

To Captain Blair, commanding a Detachment from Chunar.

Sir,

The Rajah having made his Escape from hence, is still at Ramnagar, with all his People in Arms, as I am informed. You will therefore be upon your Guard, and diligent to prevent a Surprise or Attack in such a Situation as might give an Advantage over you. You will not proceed to the

* This should have been before No. 9.

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PART II.

Town of Ramnagur, as at first directed, but halt, upon the Receipt of this, at such a Distance, and in such a Situation, as you may judge will afford you Security, until you receive further Orders from me.

Banaris,
16th August 1781.

I am, Sir, &c.
Warren Hastings.

NUM. 13.

To the Honourable Warren Hastings Esquire, Governor General, &c. &c. Banaris.

Honourable Sir,

I have this Instant received the Honour of your Commands of Yesterday's Date, from Banaris, and conformable thereto shall, with the utmost Expedition, march the Detachment under my Command by the Route of Chunar to Ramnagur, observing your Directions in every Respect, and otherwise acting to the best of my Judgment for the Good of the Service.

Camp near Mirzapoor, 17th August 1781.
(Half past 11 A. M.)

I have the Honour to be, &c. &c.
James Mayallre, Captain.

NUM. 14.

To Captain Thomas Blair.

Sir,

The Governor directs you to keep in your present Station until you receive further Orders from him, and that you will take care that your Out Posts be alert, in case of an Attack from the Enemy.

Banaris, 18th August 1781.
(8 o'Clock P. M.)

I am, Sir, &c.
W. Palmer,
Military Secretary.

NUM. 15.

To Lieutenant Colonel Blair, commanding at Chunar.

Sir,

I have received Two Letters from you, dated Yesterday and To-day.

I have provided a Supply of Money for Captain Blair, and will take instant Means for furnishing you with a Sum for the Remainder of your Garrison.

I recommend to you to guard against a Surprise. I do not apprehend that the Rajah will attempt an open Attack upon the Fort or Town, nor is it at present necessary to lay in any Store of Provisions.

I request that you will send me a Return of the Troops under your Command, including Captain Blair's Battalion, and an Account of the Arrears of Pay due to them; and as it may become necessary to make a Provision of Victualling Stores for the Fort, I wish you to furnish me with a List of such Articles, and the Quantities of each, as you shall judge to be necessary.

Banaris,
the 18th of August 1781.

I am, Sir, &c.
Warren Hastings.

NUM. 16.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Sir,

Accompanying I have the Honour to send you a Return of the Killed, Wounded, and Missing at the Affair of the 16th Instant.

I have the Honour to be, &c.

Banaris,
18th August 1781.

W. Popham.

NUM. 17.

RETURN of the Killed, Wounded, and Missing, of a Detachment on Service at Banaris, from the Troops encamped at Mirzapoor, commanded by Major William Popham, the 16th of August 1781.

	Lieutenants killed.	Subadars.			Jemmadars			Havildars & Naicks.			Drummers and Fifers.			Sepoys.		
	The 35th Regiment.	Killed.	Wounded.	Missing.	Killed.	Wounded.	Missing.	Killed.	Wounded.	Missing.	Killed.	Wounded.	Missing.	Killed.	Wounded.	Missing.
1st Battalion	Arch. Scott	—	—	—	1	—	—	2	7	—	—	1	—	38	33	—
2d Battalion	Jerem ^h Symes	—	1	1	—	1	—	—	2	10	1	—	2	—	33	48
Total	2	1	2	—	2	—	—	4	17	1	—	3	—	71	81	—

RETURN of the Killed and Wounded of the Resident's Body Guard at Banaris on the 16th of August 1781, commanded by Lieutenant John Stalker.

Killed	1 Lieutenant.	1 Subadar.	20 Sepoys.	Total 22
Wounded	—	1 Havildar.	9 Sepoys.	10
Total	1	1	29	32

ABSTRACT of the foregoing Returns.

	1st Battalion.		2d Battalion.		Body Guard.			Killed.	Wounded.
	Killed.	Wounded.	Killed.	Wounded.	Killed.	Wounded.			
Lieutenants	1	—	1	—	1	—	Total.	3	—
Subadars	—	1	1	1	1	—	—	2	2
Jemmadars	1	—	1	—	—	—	—	2	—
Havildars	1	3	2	—	—	1	—	3	4
Naicks	1	4	1	—	—	—	—	2	4
Drummers	—	1	—	1	—	—	—	—	2
Fifers	—	—	—	1	—	—	—	—	1
Sepoys	38	33	33	48	20	9	—	91	90
	42	42	39	51	22	10	—	103	103

Total killed and wounded — 206

NUM. 18.

To the Honourable Warren Hastings Esquire, Governor General, &c. &c.

Sir,

Your Letter of the 16th Instant at 9 o'Clock P. M. I received this Morning. I deferred answering it till such Time as my Battalion was furnished with new Arms, &c. from the Magazine in this Garrison, which I have the Pleasure to acquaint you was accomplished about Eleven o'Clock. I shall march out of the Garrison at Two o'Clock in the Afternoon, and encamp on the most convenient Spot between this and the Town of Ramnagur.

Chunargur,
17th August 1781.

I have the Honour to be, &c.
Thomas Blair.

NUM. 19.

To Captain Thomas Blair.

Sir,

On Receipt of this it is my Order that you do immediately move your Detachment towards Ramnagur; and if you shall receive Intelligence from Bauboo Owsan Sing, which you will know to be authentic by comparing the Impression of his Seal which I send you herewith, or if he shall in Person give you Intelligence, that you may enter the Town in Safety, and proceed to take Possession of the Palace, you will advance and take Possession, using every Precaution to avoid a Surprise. But unless you shall receive such Intelligence from him, or if you shall at the same Time have any Grounds to expect an Opposition, you will in either Case halt and encamp in some open and secure Place without the Town; but on no Account enter it, unless you have every such Assurance as your own Judgment can rely upon, added to the Information of Bauboo Owsan Sing as above-mentioned, that you may proceed without Hazard of Hostilities, which it is my particular Desire to avoid, as the Rancee and her Family are situated in the Neighbourhood and must be exposed to the Consequences of it.

Banaris,
19th August 1781.

I am, Sir, &c.
Warren Hastings.

NUM. 20.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Sir,

I herewith send you a Return of the Battalion under my Command. I take the Liberty to mention to you, that about 2 o'Clock this Morning several Elephants and a Guard of Horsemen passed near my Camp, on their Way to Lutteespoor, the Fort in which Rajah Cheit Sing is at present. My Hircarrahs acquaint me, the Elephants were loaded with the most valuable Things the Rajah left behind him at Ramnagur. The Road to Lutteespoor is very near my present Encampment, and the whole of this Morning several small Parties of Horsemen, Peons, and Hackerries, have passed, said to belong to the different People who are joining the Rajah.

Camp near Mirzapoor,
18th of August 1781.

I have the Honour to be, &c.
Thomas Blair.

NUM. 21.

The following is the Substance of an Order written, but not delivered, though verbally notified to Major Popham, on the 19th of August 1781 :

" To take the Command of a Detachment to be immediately formed, and of which his own Regiment was to compose a Part, and was on the Spot, for the Purposes of reducing the Zemeedary of Banaris, which was in a State of general Revolt under the Rajah Cheit Sing, to Obedience; for restoring Peace, Order, and Security in the Country; and for granting Pardons to such Persons as should return to their Duty and make Submission to Government, with the Exception of Rajah Cheit Sing and his Brother Soojaun Sing."

These Orders, or rather Instructions, also enumerated the Corps of which the Detachment was to consist, and authorized Major Popham to raise and form a Corps of Goolaundauze for the Duty of the Train.

Major Popham was left at full Discretion in the Conduct of his Military Operations for obtaining the Objects above expressed.

These Instructions were left behind in the Confusion of the Retreat from Banaris, and never recovered.

Will. Palmer,
Military Secretary.

NUM. 22.

To Captain Tho. Blair.

Sir,
News is arrived that 2000 Men belonging to Ram Jewan Sing, have taken Possession of the Fort of Ramnagur; you are therefore desired to be on your Guard against Surprise.

Banaris,
the 19th of August 1781.

I am, Sir, &c.

Warren Hastings.

NUM. 23.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Sir,

I wrote you of my Arrival on the 17th Instant in the Evening, and Yesterday Morning I enclosed you a Return of my Battalion. As the Hircarrahs have not since returned, I am doubtful of their having been able to reach you. Ram Jewan, a Servant of the Rajah Cheit Sing, is about Three Cols from me, with something more than 2000 Men and 4 Guns. I was informed of his intending me a Visit last Night: I was perfectly ready, and in Hopes of being able to have given a good Account of him and his Guns. A Party of his Horse came to a Village distant about Two Miles, and went off. This Morning One Howda Elephant, and less than 200 Horsemen, tolerably well mounted and armed, marched past in Front, distant about One and a Half Miles. I understand the Town of Ramnagur is without Troops, and not more than 250 or 300 Men in the Rajah's House. Troops from the different Pergunnahs are joining Cheit Sing at Lutteefpoor; he has formed a Camp on this Side of it, about five Cols from me. I shall be glad to receive your further Orders.

Camp near Mirzapoor,
19th of August 1781.

I have the Honour to be, &c.

Tho. Blair.

NUM. 24.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Sir,

I am just now favoured with your Letter of this Date. From the Rajah's Troops being very near me, and passing some Part of them in my Sight, I have since Yesterday Evening taken Post in a Tope, which I have no Doubt of being able to defend against considerable Numbers. I beg you will be pleased to acquaint me whether I may attack any Parties of the Rajah's Troops which are passing near my Encampment. My Hircarrahs acquaint me, that Ram Jewan Sing is at Peteete; that Callunder Sing, Nuncoo Sing, and Ball Kissen Hazarry, are in the Fort of Ramnagur, with their People, to the Number of 12 or 1500 Men of various Kinds.

Camp near Mirzapoor,
19th of August 1781.

I have the Honour to be, &c.

-Tho. Blair.

NUM. 25.

To Major Will. Palmer, Military Secretary to the Honourable Governor General.

Sir,

Your Letter of the 18th Instant at 8 P. M. was delivered to me about 12 o'Clock this Morning. I am much concerned that my Orders were so positive against proceeding to Ramnagur, as I have no Doubt but I should have been able to take Possession of it with very little Loss, if the Information I had was good, which I have Reason to think was to be depended on. About 10 o'Clock this Morning I was under Arms, and continued so till One, my Hircarrahs having brought me Information of the March of the Rajah's Troops from Addilkauhaut: They were in Sight soon after. Some Horsemen advanced very near my most distant Centries, and went off; the whole of the Enemy moved more to the Right, and passed my Front within a Mile. I at first expected his whole Force; but from my own Observation I think they may be 600 Cavalry, not very good, 2 Guns, 200 Sepoys, Matchlock Men, and some Peons. They would arrive at Ramnagur before 12 o'Clock.

I have since been informed that the Rajah would march from Lutteefpoor about 12 o'Clock for Ramnagur: If he does, I expect him to pass me about 6 o'Clock this Evening, before which Time I shall be under Arms.

Camp near Mirzapoor,
19th August 1781.

I have the Honour to be, &c.

Tho. Blair.

PART II.

Num. 26.

To Lieutenant Colonel Blair, commanding at Chunar.

Sir,

On Receipt of this you will please to order Four Six Pounders, from the Sixteen which were intended for Colonel Cummings, with Two Tumbrils of Ammunition; also the Six and Eight Inch Mortars, accompanied by One hundred Shells for each, and double the Number of Fuzes, with the necessary Powder for that Number of Shells. These are to come by Water to Chuta Mirzapore, where the Troops are now under the Command of Captain Mayaffre.

Should the Mortars and their Apparatus not be ready to proceed immediately, they are not to prevent the Six Pounders, &c. &c. being sent with all Expedition.

Banaris,
20th August 1781.

I am, Sir, &c.

Warren Hastings.

Num. 27.

To Lieutenant Colonel Blair, commanding at Chunar.

Sir,

I request that you will use your best Endeavours to obtain Intelligence of any Parties of the Rajah's Troops at Pateeta, or other Places at no greater Distance from Chunar; and if you should judge it practicable and safe, attempt to surprise and defeat them by a Party from your Garrison. A successful Attack, though trifling in itself, might produce favourable Consequences; but I would not have it made at any Risk of Miscarriage, and still less if there was the smallest Probability of Misfortune. I would be understood only to recommend the Matter to your Consideration. The Decision must be left to your own Judgment, formed upon an intimate Knowledge of all Circumstances.

A Budgerow having been stopped and plundered, and an European and several Dandies belonging to it murdered, by the Rajah's People at Ramnagar, you will be pleased to give Orders for preventing all Boats whatever passing the Limits of your Garrison, either up or down the River.

Banaris,
the 20th of August 1781.

I am, Sir, &c.

Warren Hastings.

Num. 28.

To Lieutenant Colonel Blair, commanding at Chunar.

Sir,

I desire you will order the Battalion of Sepoys now at Chunar to cross the River there, and march directly to this Place: You will please to furnish them with as much Ammunition as the Men's Pouches will contain.

I conclude that Captain Mayaffre's and Captain Blair's Corps have retreated to Chunar, as I have certain Intelligence of that Detachment being worsted in an Action with the Rajah's Troops. In this Case you will be able to spare me the whole Battalion, without leaving the Fort in any Danger; but at any rate send me as many Troops as you possibly can spare.

Banaris, 20th August 1781.
Half past 9 o'Clock.

I am, Sir, &c.

Warren Hastings.

Num. 29.

To Major Eaton, commanding at Buxar.

Sir,

As it is apprehended that Rajah Cheit Sing's People, in the present State of Disobedience to Government, may seize and plunder any Boats which may come into his Districts, I desire you will not allow any Boats coming up the River to pass your Station.

Banaris,
the 20th of August 1781.

I am, Sir, &c.

Warren Hastings.

Num. 30.

To Captain Tho. Blair.

Sir,

Various Accounts are arrived here of an Action between you and the Rajah's Troops. As there is no Occasion for you to risk a Misfortune whilst a Reinforcement is so near you, the Governor General orders that you remain on the Defensive until joined by Captain Mayaffre.

Banaris, 20th August 1781.
(5 P. M.)

I am, Sir, &c.

W. Palmer,

Military Secretary.

NUM. 31.

To the Honourable Warren Hastings Esquire.

Sir,

I have just received your Letter with Owsan Sing's Seal. Captain Mayaffre joined me last Night. This Morning he marched to the Attack of Ramnagur, was opposed at his Entrance, and obliged to retreat after a considerable Loss. Captains Mayaffre and Doxat are killed; several Europeans; the Number of Sepoys killed and wounded is very considerable. After some Time we were with Difficulty able to reach the River, where we are surrounded; at present I cannot say what will be the Fate of the rest. Captain Sparks commands.

I have the Honour to be, &c.

20th of August 1781.

Tho. Blair.

NUM. 32.

To the Honourable Warren Hastings Esquire.

Sir,

I was just going to dispatch the Arms under an Escort of about 100 Invalid Sepoy Officers and Sepoys by Land, for there was no Possibility of sending them by Water, when I have Information that there is a large Body of the Rajah's Troops on the opposite Side of the River, as also that Captain Mayaffre's Detachment has been repulsed: I therefore think it unsafe that they should move from this until I have your further Orders.

I have the Honour to be, &c.

Chunargur, 20th of August 1781.

W. Blair,

Past 7 P. M.

Colonel, commanding at Chunargur.

NUM. 33.

LIST of English Gentlemen at Banaris the 21st of August 1781.

The Governor General.

Covenanted Servants—Messieurs Steph. Sullivan, David Anderson, Rich. Sumner, Rich. Johnson, Charles Chapman, Edw. Hay, G. F. Grand, Will. Markham, and Edw. Colebrook.

Staff of the Gov. General—Major Will. Palmer, Capt. Tho. Hogan, Lieut. Sam. Turner, and Lieut. James Anderson.

Majors White, Clark, and Gardiner, on a Visit to Banaris.

Mr. Totty, Surgeon to the Residency.

Messieurs Thompson, Bowers, and Hodges, in the Gov. General's Family.

Mr. Barnet, an Inhabitant of Banaris.

Military Officers on actual Service—Major Will. Popham, Capt. Jonathan Scott, Lieutenants Hamilton, Birrel, Malcolm, Macleod, Wade, Calcroft, D'Esterre, Evelyn, and Campbell; the Two last on the Way to Khaunpoor, since appointed to Major Popham's Detachment. Lieut. Fireworkers Grand and Sands, Surgeon and Ensign Laird.

N. B. All the Gentlemen of this Catalogue accompanied the Governor General to Chunar, except Mr. Barnet.

NUM. 34.

To the Honourable Warren Hastings Esquire.

Sir,

As you seem to be unacquainted with the Misfortune that has happened to Captain Mayaffre's Detachment as late as 9 o'Clock last Night, by the Two Letters which I have received of that Date, I am sorry to inform you, that they were beat out of the Town of Ramnagur with a very considerable Loss; Two Officers killed, Three wounded, Two Field Pieces and a Howitz lost. The Enemy pursued the Detachment as far as Chuta Mirzapoor, and they arrived within Two Miles of this Fort last Night about 9 o'Clock. It has been a most unfortunate Business, and more rash and intemperate than any Thing I ever heard. Captain Blair, whom I have seen, says he foretold Captain Mayaffre every Thing that happened. If an Opportunity should offer of attacking any Parties of the Rajah's Force about the Distance of Pateeta, I will endeavour to surprise and defeat them; but I must proceed with great Caution, as the Enemy is at present flushed with Success, and the Battalion in Garrison is mostly composed of raw, undisciplined Men, who never fired a Shot. They have not less at this Time than 4000 fighting Men at and about Pateeta. I have this Moment received your Letter at Half past Nine o'Clock, and shall dispatch the Battalion immediately agreeable to your Orders.

Chunar, 21st August 1781.

I am, &c.

Half past 6 A. M.

W. Blair.

PART II.

NUM. 35.

Purport of a Letter written by Rajah Cheit Sing to the Governor General at Banaris, and intended to have been delivered on the Evening of the 21st of August, but not delivered.—This Draft of it was since made by Abdullah Beg, the Rajah's Vakeel, from his own Recollection of it, and delivered under his Seal to the Governor General.

I am with Heart and Soul the devoted Servant of the Sirkar; nor have I, within my own Knowledge, committed any Fault: For Example, the Guard which came from the Sirkar, to that too I yielded, nor deviated in the Breadth of an Hair from Obedience and Submission to Authority. In the mean time, Cheitram Chobdar came, and uttering improper Language, for that Cause the Men who attended me, who wanted Understanding, committed War and Bloodshed. At that Time I, through Fear of my Life and Honour, withdrew myself aside. Now also I have the Hope in your Favour and Mercy, that the Fault of your Servant may be pardoned, and that he may be honoured from the Presence, and all that I represented in the Pinnacle, I am ready to act conformably thereto.

21st August 1781.

NUM. 36.

GENERAL ORDERS, 22d August 1781.

Major Popham is appointed to the Command of the whole Detachment at Chunargur.

NUM. 37.

To the Nabob Vizeer.

Your Excellency will have heard from Report the rebellious and treacherous Conduct of Cheit Sing, which has delayed for a few Days my Departure towards Lucknow; and I am now arrived at Chunargur, where I shall remain some Time, to punish this Treachery and Rebellion, which has originated from his own wicked Disposition. Your Excellency will therefore be pleased to return to Lucknow; and as the sole Object of my Journey from Calcutta to this Quarter was to have an Interview with your Excellency, by the Blessing of God having shortly punished in an exemplary Manner this Rebel, I shall be made happy by meeting your Excellency, who in the mean while must not suffer any Apprehensions or Doubts to exist respecting this Business.

As in this Time of Necessity Troops are wanted here, and our Concerns are the same, I have therefore written to Lieutenant Polhill, who is with some Companies of your Excellency's Sepoys at Illahabad, to come to this Place, and have promised to acquaint you with it; assuring him, that your Excellency will approve of his coming here.

Chunargur,
23d August 1781.

Warren Hastings.

NUM. 38.

To Major Moses Crawford, or Officer commanding the Detachment on its March from Dinapoor to Banaris.

Having ordered Lieutenant Colonel Ahmuty to send the Regiment of Sepoys directly to Banaris, from the respective Stations of the Two Battalions, I now direct, if the Two Divisions should have marched separately, that on Receipt hereof you take Measures for effecting their Junction, whether they may be on the same or opposite Sides of the River, and proceed together the Remainder of your Route, which you will direct to this Place, instead of Banaris, as at first directed. You will pursue your March on whichever Side of the River you may judge most safe and expeditious for reaching this Destination; and will be careful to guard against a Surprise, and not suffer your March to be delayed by any Object but your own Security and Defence.

Chunargur,
the 23d of August 1781.

I am, Sir, &c.
Warren Hastings.

NUM. 39.

To Mr. Nath. Middleton, Collector, &c. Lucknow.

Sir,

Immediately upon Receipt of this Letter you will be pleased to pack up and dispatch One Lack of Rupees in Silver, to be delivered here to the Commanding Officer of this Place. Should you not possess a Sum equal to this Amount in your Treasury, you will be pleased to exert every Means in your Power to raise it upon your own Credit, or otherwise; and when prepared, put it in charge of the Officer commanding the Regiment of Sepoys, which I lately ordered from Khaunpoor to Lucknow. He is directed to escort the Treasure with his whole Force to this Place.

You will further be pleased, immediately on Receipt of this, to send an Agent to Illahabad, with Directions to purchase Grain to such Amount as he may be able to dispatch by Water from thence to this Fortrefs, for the Use of the Troops encamped near it.

You will also, as soon as possible, acquaint the Nabob Vizeer, that instead of meeting him upon the Road from Lucknow to Banaris, I now intend meeting him at Lucknow; and that I consequently request he will immediately return to that Place, and there wait my Arrival.

Chunargur,
the 23d of August 1781.

I am, &c.
Warren Hastings.

NUM. 40.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Sir,

On the 19th I was acquainted by the Dawk Hircarrah, that Cheit Sing's Country was in Arms, that the Dawks are obstructed; and a Rumour also prevails here, that an Action had happened at Banaris between our Troops and Cheit Sing's; and as no Dawk has arrived here from Banaris the last Three Days, I am led to believe there is some Foundation for such Report: But as I have no further Advices that can be relied on, I am at a Loss how to conduct myself. I know not whether I should interfere to prevent his Subjects in my Neighbourhood assembling, for fear of offending against your Inclination, and being considered as the first Aggressor. I shall be happy if you will favour me with your Commands, which I shall be always proud to obey.

Buxar,

I have the Honour to be, &c. &c.

the 15th of August 1781.

Isaac Eaton.

NUM. 41.

Substance of a Letter from Hurry Budder, Nephew of Beneram Pundit, to Beneram Pundit, received at Chunar the 24th of August 1781.

Lalla Bucherage and Cushmanere Mull are ready, and will assist to the utmost of their Ability: They require an Invitation from the Governor General, and will accompany Hyder Beg Khan. I have the Lack ready to give it to Contoo, but he is concealed. Lalla will accompany Hyder Beg Khan, and carry the Money which he promises: I will come too, and bring our Lack. Moonshy Sherreut Oola Khan went Yesterday early to the Nabob. Four Chests of the Governor General's are come to our House, and his Bearer has brought me a Chest of Cloaths. The Mowlavy and other Incendiaries are carried away. I will receive and take care of all the Governor's People that come to me.

NUM. 42.

To Colonel James Morgan.

Sir,

I am at Chunar; send a Regiment of Sepoys to this Place instantly with 30 Artillery Men, Officers in proportion, and one of Experience to command them; by Water if you can. Send Grain, a strong Escort with it. I have written many Letters to you;—be expeditious.

Chunargur,

I am, Sir, &c.

the 25th of August 1781.

Warren Hastings.

NUM. 43.

To Colonel Morgan.

Sir,

March hither with your whole Force, and send the enclosed to Colonel Cumming.

Chunargur,

Warren Hastings.

26th August 1781.

NUM. 44.

To Colonel Cumming: Enclosed in Colonel Morgan's.

Sir,

March immediately with your whole Detachment to Khaunpoor, and remain there.

Chunargur,

Warren Hastings.

26th August 1781.

NUM. 45.

To Major Moses Crawford.

Sir,

I wrote to you on the 23d Instant, to effect a Junction of your Two Battalions, and proceed together to this Place. I now repeat that Order.

Chunargur,

Warren Hastings.

26th August 1781.

NUM. 46.

GENERAL ORDERS, 26th August 1781.

The Governor General having this Day received the Returns of all the Killed and Wounded in the late Attack upon the Town of Ramnagur, and circumstantial Reports from the proper Officers, finds the greatest Alleviation to his Sorrow for the unhappy Issue of that Event, in the Testimonies which those Reports exhibit of the Bravery and Firmness displayed by the Officers and Troops, both Europeans and Natives, after they were compelled to retire from the Town with so considerable a Loss. The Governor General remarks with particular Satisfaction, the spirited

PART II.

and judicious Conduct of Captain Spark and Captain Blain in effecting a Retreat; and to the latter Gentleman especially, without derogating in the least from the approved and acknowledged Merit of Captain Spark, the highest Acknowledgments are due for the Skill and Resolution with which he extricated the Troops from their dangerous Situation in the Streets of Ramnagur, until their Junction with Captain Spark's Battalion. The Governor General considers the Officers engaged in this unfortunate Action entitled to his warmest Thanks and Applause for their gallant Behaviour, and requests they will please to convey to the Troops under their Command, his entire Approbation of their Courage and Discipline; particularly to the Corps of Rangers, who so eminently distinguished themselves throughout the whole Attack and Retreat, and whose Loss, with his own, on the Death of their unfortunate Companions, he justly laments.

NUM. 47.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

I have the Pleasure to inform you, that I arrived at this Place Yesterday Morning, and only wait for a Company, which I expect to join me every Moment, and shall march this Afternoon. I hope to reach Chunargur the 27th in the Forenoon, where I hope I shall find Boats ready for my crossing. My Reason for taking this Route rather than that you were pleased to direct is, that Reports are circulated here, that you, the Gentlemen, and Troops, have left Banaris and gone to Chunargur. I did myself the Pleasure of writing to you at Banaris, but do not know whether you have received my Letter. I do not hear of any Bodies of the Rajah's Troops within 20 Cos of this Place. There is in the Villages a Number of the Zemeeendars and Reyots assembled. I have no Intelligence so far as Chunar, but if there should be any large Parties in the Roads I hope you will honour me with the Information. My Detachment, when this Company joins me, will be about 420 Men, but we have nothing but bad Country-made Arms, One out of Ten of which is the utmost that will go off. I have Three Days Dawks with me. It is reported here, that there are Troops near Illahabad from Khaunpoor marching this Way.

I have the Honour to be, &c.

Camp Handes, 25th of August 1781.

T. Polhill, Lieut.

(9 o'Clock in the Morning.)

NUM. 48.

To Major James Crawford, commanding a Battalion at Chitra.

Sir,

I directed you on the 20th Instant to take Post with your whole Detachment on the Confines of Roras, and as near as that Situation would admit to Bidjeygur, to prevent all Communication between it and the Rajah, first attending to your own Security, and to obey all Orders from Major Popham. The above Orders I now repeat.

Chunar,

the 26th of August 1781.

I am, Sir, &c.

Warren Hastings.

NUM. 49.

To Lieutenant Polhill.

Sir,

I have received your Letter. A Party from hence will cross the River this Evening to join you; march in the Night; be on your Guard. The Gongwars, or Village People, may probably assemble, but cannot make any considerable Opposition.

Chunar,

the 26th of August 1781.

I am, Sir, &c.

Warren Hastings.

NUM. 50.

To Major Eaton, commanding at Buxar.

Sir,

I have received this Instant Duplicate of your Letter of the 19th. Suppress any Commotions in your Neighbourhood, if you can effect it without Danger to your own Troops or Garrison. Let their Safety be your principal Care. Collect Provisions.

Chunar,

the 26th of August 1781.

I am, Sir, &c.

Warren Hastings.

NUM. 51.

To Lieutenant Polhill.

Sir,

Boats with Arms and Ammunition will cross the River for you immediately. If you find yourself strong enough, I could wish you to remain on the other Side; if not, embark your Baggage and prepare to follow it. I hear of no Parties sent against you.

Chunar, 27th August 1781.

(10 o'Clock P. M.)

I am, Sir, &c.

Warren Hastings.

Num. 52.

To Edward Wheeler Esquire.

Sir,

I have written to you many Letters; all probably intercepted. I arrived the 14th at Banaris. On the 16th, the Rajah having been put under an Arrest, a numerous Body of armed Men suddenly crossed, attacked, and massacred the whole Party which had him in Custody, consisting of Lieutenants Stalker, Scott, and Symes, and Two Companies of Major Popham's Grenadier Sepoys; these having no Ammunition, fell without Resistance: The Rajah escaped, and fled to Lutteefpoor. On the 19th, a large Force returned to Ramnagar. Captain Blair with his Battalion, and Captain Mayaffre with the Remainder of Major Popham's Detachment, were ordered to assemble for the Attack of that Place, and Major Popham to join and conduct the Operations, according to a concerted Plan. The Two Corps having joined, Captain Mayaffre, the Senior Officer, without waiting for Major Popham, and against Orders, on the Morning of the 20th marched precipitately into the narrow Streets of the Town, where in an Instant he fell, with Captain Doxat and 33 Rangers, and almost all the Sepoys of Captain Blair's Battalion that had entered with him. The rest of the Detachment returned to Chunar, with the Loss of 2 Guns, 1 Howitz, and 103 Men of all Denominations killed. I was in Banaris with the broken Remains of Major Popham's first Party, consisting of about 400 Men, in a Place incapable of Defence, even with equal Numbers. Preparations were making to attack me. I waited until the Evening for a Battalion ordered from Chunar to reinforce our Party. At Seven, repeated Intelligence arrived that the Rajah's Boats were in Motion. No News had arrived of the Battalion from Chunar. It was resolved to meet it, and march with it to Chunar. The Resolution was instantly carried into Execution. We passed the Battalion, which returned and overtook us, and on the 22d at Day Break we gained the Banks of the River opposite to Chunar, having met no Opposition. The Detachment crossed on the Morning of the 23d. The Rajah's Forces are divided between Ramnagar and Lutteefpoor; his Family is at Bidjeygur; his fixed Establishment exceeds 10,000 Men, and all his Reyots bear Arms. Major Popham is encamped on the Plain East of the Fort. I expect to be joined by a Regiment from Khaunpoor, one ordered for my Guard at Lucknow. Lieutenant Polhill, with Six Companies of the Nabob's Guard, now at Hand, and Major Moses Crawford's Regiment. My only Distress is the Want of Money, and is great. Bauboos Owssan Sing, Doorgbijey Sing, and his Son Mehinnarain, are with me.

Chunar,
27th August 1781.

I have the Honour to be, &c.

Warren Hastings.

Num. 53.

To Major Moses Crawford, or to Lieutenant Colonel Ahmuty.

Sir,

I repeat, that if your Regiment has marched in Divisions, you immediately unite them, and march to this Place. You will meet with Opposition. Avoid Ghauzipoor and great Towns. Obey all Orders from Major Popham. If Major Crawford has not marched, I desire that Lieutenant Colonel Ahmuty will instantly dispatch him with his Regiment and Two Guns to this Place.

I am, Sir, &c.

Chunar,
28th August 1781.

Warren Hastings.

Num. 54.

To Colonel Muir *.

Sir,

I, the Governor General of the Provinces of Bengal, &c. &c. having received full Powers and Authority from the Governor General and Council of the said Provinces, and relying on your Fidelity, Prudence, Integrity, and Circumspection, have deputed and appointed you to be the Public Minister of the Governor General and Council aforesaid, to treat with Mahdajee Sindia, or any Person by him deputed for that Purpose; and I hereby delegate to you full Powers and Authority to act in that Capacity, according to the Instructions which I have given you for that Purpose.—Given at Chunar, under my Hand and Seal, this 29th Day of August 1781.

Warren Hastings.

Num. 55.

To Major James Crawford.

Sir,

Understanding that a Man, named Doonea Sing, has a Claim to Part of the Zemeedary of Bidjeygur, and is capable of raising a considerable Body of Men; I have written to him to join, and afford you every Assistance in his Power, and I shall enclose to him this Letter, to serve as an Introduction to you.

Chunar,
29th of August 1781.

I am, Sir, &c.

Warren Hastings.

N. B. A Letter the same Day sent to Duljeet Sing, and another to Pertiput Sing.

* The Letter which inclosed this is the same as that inserted in the First Part of the Appendix, No. 4. A. except the Clause referring to the Inclosure. The Credentials were written in English and in Persian.

PART II.

Num. 56.

To Colonel James Morgan, adjoined to Duplicates of 25th and 26th of August.

Sir,

I repeat the above Orders, and request that you will use the utmost Diligence to dispatch the Regiment of Sepoys and Artillery Men; you may follow with the Brigade at more Leisure. If you can dispose of your Artillery in Safety, you will need no more than may be required for the March, as here is Abundance; nor will you meet with much, if any, Opposition.

Chunar,
30th August 1781.

I am, Sir, &c.

Warren Hastings.

Num. 57.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Sir,

I have been favoured with your Letter of the 23d Instant, and have the Pleasure to inform you of my Arrival at this Place on the Morning of the 26th, with the 2d Battalion of my Regiment. The Information I received on my Arrival here, of a large Force being assembled at Zammaneeah, Ghauzipoor, &c. to obstruct my March, determined me, with the Advice of Major Eaton, to proceed no further, till joined by the 1st Battalion of my Regiment, which I am happy in informing you joined me here at 2 o'Clock P. M. this Day, after a March of 14 Co's. As a Number of the Men, and most of the Cattle of the Battalion, are To-day much fatigued and lame with forced Marches, I shall be under the Necessity of halting them To-morrow; but next Day I will assuredly march, and lose no Time in joining at Chunargur. You may rely, Sir, on my informing you as frequently as possible of my Progress and Situation. I propose marching up on the Ramnagar Side of the River to evade repeated Crossing, more especially as it is uncertain whether I should be able to procure Boats for crossing the Goomty.

Buxar,
31st August 1781.

I have the Honour to be, &c.

M. Crawford,

Major 28th Regiment of Sepoys.

Num. 58.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

I have the Pleasure to acquaint you, that I am returned with my Detachment to my Encampment opposite the Fort, having sent all the Grain I could find in the Villages to Colonel Blair.

I am, &c.

30th August 1781. (3 o'Clock P. M.)

T. Polhill.

Num. 59.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Sir,

About the Month of November last I communicated to Mr. Markham the Substance of a Conversation said to have passed between Rajah Cheit Sing and Saadut Ally, and which was reported to me by a Person in whom I had some Confidence; the Mode of communicating this Intelligence to you I left entirely to Mr. Markham.

In this Conversation, which was private, the Rajah and Saadut Ally were said to have talked of Hyder Ally's Victory over Colonel Bailie's Detachment, to have agreed, that they ought to seize this Opportunity of consulting their own Interest, and to have determined to watch the Success of Hyder's Arms. Some Days after this Conversation was said to have happened, I was informed by the same Person, that the Rajah had received a Message from one of the Begums at Fyzabad (I think it was from Shujah-ud-Dowlah's Widow), advising him not to comply with the Demands of Government, and encouraging him to expect Support in case of his resisting. This also I believe I communicated to Mr. Markham; but not being perfectly certain, I now think it my Duty to remove the Possibility of your remaining unacquainted with a Circumstance which may not be unconnected with the present Conduct of the Rajah.

Lucknow,
28th August 1781.

I am, Sir, &c.

Francis Balfour.

Num. 60.

To Edward Wheler Esquire.

Sir,

Enclosed are Copies of Two Letters which I have had the Honour to write to you; the first in Duplicate from Banaris, and the last from this Place. I doubt the Possibility of the first having escaped the Vigilance of the People who are stationed in every Part of this Zemedyary to intercept my Letters. For the Conveyance of this Packet I shall trust to a light Boat, which, with a strong West Wind aiding the Rapidity of the Stream, will certainly pass without Interruption, if the Fears of the Dandies do not urge them to quit the Boat. In the enclosed Letters you will

will receive a connected Relation of the Events which had befallen me to the 27th Instant, though purposely abbreviated in the last, for the safer Means of Conveyance.

The Arrival of Lieutenant Polhill, whose Activity cannot be too much applauded, has proved of very great Service in freeing our Communication with the opposite Shore. Our greatest Distress has been in the Want of Money and Provisions; the latter has been effectually removed, and with it the former in a Degree, by the Seizure of a large Store of Grain made by Lieutenant Polhill Yesterday Morning, in a Village about Three Miles distant, Information having been given me of it the preceding Evening. He was opposed by a considerable Body of the Enemy, reported to consist of about 150 Horse, Two Companies of Sepoys, and more than 2000 Matchlock Men, and Gongwars or armed Villagers, but were repulsed and dispersed with some Loss on their Side: On ours none. The Quantity of Grain secured is estimated at 5000 Mds. which in our Situation is a most important Acquisition, as we have every Reason to apprehend a total Failure of our Supplies when the Troops of this Place are reduced, as they soon must be, to the Complement of the Garrison. Numbers are yet assembling to reinforce the defeated Party of the Enemy, and they have been strengthened by Four Guns from Ramnagur, with the professed Determination of making one more Effort.

I have received no Answers to the Letters which I have diversly and repeatedly written to Colonel Morgan, to Mr. Middleton, to Lieutenant Colonel Ahmury, and to Major James Crawford, to whom it escaped me in my last to inform you that I had sent Orders to march to the Borders of Bidjeygur; but I have received a Letter from Colonel Morgan, written with a Knowledge of the late Events, and cannot doubt that his Prudence will dictate to him the obvious Necessity, on an Occasion of such Emergency, of sending a Party to my Relief, without waiting for the Formality of Orders, which he will know can with Difficulty reach him. I have Accounts, which I trust to as authentic, that Major Moses Crawford with his Regiment is on the Way; and my latter Letters to Mr. Middleton have been safely passed beyond the Borders of this Zemeedary. Upon the whole I can venture to assure you, that my Situation is actually such as, with the Reservation of that Influence which under every Circumstance must be allowed to Fortune in the Events attendant on a State of Warfare, will warrant the Expectation of an easy and complete Success.

Major Popham continues encamped on the Plain lying to the Eastward of the Fort, where he will be strengthened by all the Men that can be spared from this Garrison; and as soon as the Preparations are completed for that Service, he will march to the Attack of Ramnagur.

In the mean time I have not been inattentive to our more remote Concerns, which I shall reserve for a future Detail, and more secure Conveyance.

The Rajah's Situation, and the Disposition of his Forces, except the Detachment which is opposed to Lieutenant Polhill, is much the same as they have been described in my last.

Hyder Beg Khan has been some Time arrived at Banaris, but prevented from joining me by the Destruction of the Bridges laid over the Burna Nulla, on the lower Bank of which he is encamped, and by the sudden great Swell of the Water, which has rendered it unfordable. Yet I expect him soon, and his Presence will afford me material Service.

I have ordered to be enclosed Copies of Major Popham's Return of the Loss sustained in the Massacre of the 16th; of a Letter which has been written to me by Captain Sparks, and the Returns accompanying it, of the Killed and Wounded in the Attack of Ramnagur on the 20th August; and of a Letter from Captain Blair, containing the Particulars of that ill-fated Enterprize; also a List of the Gentlemen who were with me in Banaris on the 21st, and who accompanied me to Chunar.

I cannot close this Letter without testifying my Satisfaction with Lieutenant Colonel Blair, for his Zeal and Attention, and the Alacrity with which he executed the Orders sent to him for the different Movements of the Detachments from his small Garrison; and my entire Reliance on the steady Conduct and approved Experience of Major Popham. My Regrets for the past are personal. I shall ever retain a painful Remembrance of that Scene of Blood, of which I have been too near a Spectator, and which no future Return of Prosperity can ever efface from my Mind; but in the Prospect before me, I think I have every Reason to expect the happiest Termination of it, in the Extension of the Powers and Influence of the Company; and that the past Example may contribute to the Permanency of both, by prompting us to guard against the secret Growth of the like Evil which has produced it.

Chunar,
31st August 1781.

I

I am, Sir, &c.
Warren Hastings.

PART II.

NUM. 61.

To Colonel Morgan.

Sir,

I repeat—Send immediately a Regiment of Sepoys to this Place, with 30 Artillery Men, Officers in Proportion, and One of Experience to command them. Follow with your whole Force. You will not have occasion for Artillery, if you can dispose of it in Safety. Here is Abundance.

Chunar,

1st September 1781.

I am, Sir, &c.

Warren Hastings.

N. B. With this Letter were sent Colonel Muir's Credentials, and his Instructions in Duplicate 1st September. On the same Day Duplicate of Colonel Morgan's Letters, and Triplicate of Colonel Muir's; and on the same Day Triplicate of Colonel Morgan's last Letter; and another Letter to Colonel Muir, with Instructions copied from the First Part, with an additional Paragraph, authorising him to treat without Credentials. Each of these Three Dispatches was inclosed in a Quill.

NUM. 62.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Sir,

I have the Honour to congratulate you on the Success which Captain Blair has this Morning met with. I shall do myself the Pleasure of waiting on you, as soon as the Detachment returns to Camp, which I expect in Half an Hour or so.

What I gather of this Business is, that our People advanced under a severe Fire at first, but the Enemy soon gave way, and left us Three of their Guns; One of those is the Gun Captain Mayaire lost. Mr. Murray and Four Europeans are scorched by the Explosion of a Gun Cartridge, and several Sepoys killed and wounded.

I have the Honour to be, &c.

W. Popham.

Camp, 3d September 1781.

P. S. The inclosed is just come to Hand. (It was a short Account from Captain Blair of the Success of the Day.)

NUM. 63.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Sir,

The 3d Instant at Night, Major Popham did me the Honour to mention his Wish of surprizing the Enemy, then encamped near Pateeta, with an Offer to me of commanding the Party which was to perform that Service. I most gladly accepted it; and at One o'Clock in the Morning marched off with the greater Part of my own Battalion, the Grenadiers of the 35th Regiment, in all about Five hundred and Fifty Men, and Two Six Pounders. I took my Route by the Left of our present Encampment, to avoid their Out Posts, which I was so fortunate to pass unobserved, and expected to have arrived by the first Appearance of Day Light, but was retarded in my March by the Badness of the Gun-Bullocks and Drivers. The Enemy were first alarmed by some Firing on the West Side of Chunar; nearly at the same Time they must have received Information of my March and Intentions, for I found them regularly drawn up on an extensive Plain, more than a Mile to the Eastward of their former Station, in Numbers about Four thousand, including Four hundred Cavalry tolerably well mounted, and Six Pieces of Ordnance. They commenced the Cannonade about Five o'Clock in the Morning, distant about Three Quarters of a Mile. I continued to advance, and so soon as our Round Shot would take effect, I fired upon their Line, and continued doing both; their Infantry and Artillery firing very smartly, and their Cavalry having surrounded us, which was deterred from charging our Line by a Shot from our Guns now and then. The Fire of our Artillery and Sepoys, which was very quick, obliged their Infantry to fall back. To get Possession of their Guns, was immediately necessary at this critical Moment. Convinced of it, I ordered the whole of the Grenadiers to advance for that Purpose; which they did with such Impetuosity as overcame all Opposition; and seized Two Guns, which were immediately turned upon the Enemy. The Grenadiers were led on by Lieutenants Fallen, Birrell, and Murray: I must beg leave to mention them in the warmest Manner for their gallant, steady Conduct. The Enemy began to give way in every Part: Immediately after a very smart Fire from all the Guns and Line completed our Success. About Six, or a little after, the Enemy observed no Regularity, every Man appeared to be guided by his own Fears, and ran away to the Town and Fort of Pateeta, which was in the Rear of their left Flank. Another Gun was about this Time taken, by a Party which I detached for that Purpose. In another Part One of the Enemy's Standards was taken, and soon after a Fourth Gun. Our Guns were well pointed and served by Lieutenant Baillie, the Officer of Artillery, to whom I am much obliged for his Activity and Conduct during the whole of the Action.

Taken from the Enemy: Four Brass Guns, with Limbers and Tumbrils, with a very large Quantity of Ammunition of every Kind, and of the very best Materials; One of each Sort I have taken the Liberty of sending for your Inspection.—It appears evident to me, from the Quantity and Quality, to have been all prepared long before your Arrival at Banaris, and at a very considerable Expence, Part of it being European Materials. I was under the Necessity of blowing up a Tumbril, and Two Limber Boxes full of Ammunition, a large Quantity of Powder, and leaving upwards of 1500 Round Shots, and One Gun shotted and spiked, for want of any Means to bring them off.

Three Brass Guns, One Tumbril, and One Limber Box of Ammunition, I brought with me. The Sepoys offered their Services to draw them, which I thankfully accepted, and made them a small Recompense for their Readiness.

I now collected my wounded Men, which were very considerable, and much dispersed, occasioned by the Distance I had advanced. I provided them with Palinkeens, Officers Horses, Doolies, and every Thing which could be collected. Mr. Laird, the Surgeon, was very diligent and active in giving his Assistance on this Occasion, as well as during the Action. About Eight o'Clock I was joined by Lieutenants Wade and Malcolm, with One Gun, the Rangers, and One hundred Sepoys; the Rangers made an Offer of dragging the Enemy's Guns, which I accepted, and employed them with the Sepoys, who had before made the like Application, and were much fatigued.

Having accomplished the Service, and I believe the Intention of my being detached, though I could not surprize the Enemy's Camp, owing to their early Intelligence, I judged it most proper to return to our present Station; which I did, the Enemy not chusing to give me any further Trouble. I take the Liberty to mention Lieutenant Birrell's Conduct, during the whole of the Action, as deserving the highest Praise from me; also every Officer and Soldier I had the Honour of commanding.

I have the Honour to be, &c.

Thomas Blair.

Camp near Chunar,
4th September 1781.

NUM. 64*.

To Lieutenant Colonel Blair, commanding at Chunar.

Dear Sir,

I wrote to you by a Hircarrah sent this Morning. I am most happy to inform you, that the Troops I expect To-morrow, and I will take care to have Provisions ready for the Europeans, that no Delay may be occasioned. The first Information that Colonel Morgan had of your Want of Troops, was from a Letter I sent, which I am happy to find hastened Matters. The Bearer has a Letter from Colonel Morgan to the Governor. As every Endeavour on my Part has been exerted, so shall it be continued; and I shall be most happy if my Situation can be rendered in the smallest Degree serviceable.—All quiet.

Believe me, dear Sir, &c.

J. P. Pigott.

Illahabad, Saturday Night,
4th September 1781.

NUM. 65.

To Major Moses Crawford.

Sir,

Unite your Force.—If you have no Guns, do not hazard an Engagement, but take Post, and advise me where you are, and Major Popham will march to support you. Write where you are, and your intended Route.

Chunar,
4th September 1781.

I am, Sir, &c.

Warren Hastings.

NUM. 66.

To Colonel Morgan.

Sir,

Once more I write, and order that you do instantly detach a Regiment of Sepoys to this Place, with 30 Artillery, and Officers in proportion.—Lose no Time.—Follow with the rest of your Forces.—Leave your Artillery and Stores, if you can in Safety: Here is Abundance, and you will meet no Enemy in the Way. Colonel Cumming will take your Station.—Answer me in this Compass.—Give the Bearer 50 Rupees.

Chunargur,
4th September 1781.

I am, Sir, &c.

Warren Hastings.

P. S. Yesterday we defeated the Enemy with great Slaughter, and took 4 Guns, Tumbrils, &c. but we cannot afford even another Victory with our small Force.

* This should follow No. 66.

PART II.

NUM. 67.

To the Honourable Warren Hastings Esquire, Governor General, &c.

My dear Sir,

I am this Instant favoured with your's of the 24th, and I Yesterday received your public Letter of the 23d. The Khaunpoor Regiment is arrived at Lucknow, and by To-morrow will, I have no Doubt, be on its March, with a Lack of Rupees, to join you. Provisions will also be sent you daily from Illahabad. The Nabob will move towards you immediately. No Persuasions will induce him to return to Lucknow. On this Subject I have written fully to Johnson. I have received no Letters from you but the Two above mentioned. We shall be near you in Eight Days.

Huffaupoor,
29th August 1781.

My dear Sir, &c.

Nath. Middleton.

NUM. 68.

To Edward Wheler Esquire.

Sir,

Yesterday Morning Major Popham detached Captain Blair with his Battalion, and Two Companies of his own Grenadiers, and Two Guns (6 Pounders), to attack the Enemy collected at Pateeta. They were prepared to receive him, and made a very spirited Resistance. After a very severe Action, the Fortune of the Day was happily turned in our Favour, by a bold but well-judged Manœuvre. Captain Blair detached his Grenadier Companies to attack Two Guns which were posted on the Flank, and galled his Troops exceedingly. The Attack succeeded, and the Two Guns were turned upon the Enemy, who were soon after totally routed. Captain Blair brought off Three of their Guns, and spiked the Fourth, the Carriage of which was disabled. He brought away also One of their Tumbrils, and all his own loaded with their Ammunition. Three more of their Tumbrils, with much loose Powder, were blown up on the Field. Captain Blair having no Means of bringing them away, he was also obliged to leave about 1500 of their Shot piled in a Village. The Enemy's Numbers are reputed 8 or 9000 Men; though Captain Blair judges them from Appearance to be only 3 or 4000. They were their prime Men; our Loss, which I add with Regret, is 105 Men killed and wounded; theirs must be proportionably more, though unknown. It is remarkable, that the Enemy's Artillery and Cartridges made at Ramnagar are almost equal to ours; their Cartridges and Portfires compounded with equal Skill, and their Powder much better. This is the second Instance in which the Service is signally indebted to the collected and intrepid Gallantry of Captain Blair. Other Praises are due, which cannot be noticed in this.

I am, Sir, &c.

Warren Hastings.

Chunar,
4th September 1781.

NUM. 69.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Honourable Sir,

The unusual Failure of Intelligence from you, and the Reports which are brought to me by the Natives being fraught with alarming Accounts of your Situation, have determined me to detach immediately Two Regiments of Sepoys, 40 European Artillery-Men, with Four Guns and One Howitz, with Orders to proceed with all Expedition to join you; and the Officer commanding the Detachment has Orders to pursue such Measures, and make such Movements, as he shall deem expedient, according to his Intelligence, for effecting that Service. They will set off on Saturday next, September the 1st. The Artillery, for the sake of Expedition, is to go down by Water to Illahabad, where it is to wait for the Arrival of the Sepoys. I shall immediately order Three Battalions from the Detachment at Calpee to march to this Station, and One Battalion under Major Gilpin will be left for the Protection of that Place. A fresh Supply of Ammunition has been dispatched to Lucknow for Major Roberts's Regiment.—Though I cannot but imagine, that were your Situation anyways critical or dangerous, and you stood in need of Military Force to assist you, I should not have remained so long without receiving Orders from you to send Troops down; yet I doubt not but the Step I have taken will receive your Approbation, as there is a Possibility of your Orders having miscarried, and the Consequence of a Delay, in such a Case, might prove serious and dangerous.—I shall order the Regiment of my Brigade that is now at Futtehgur, to march down to this Station as soon as possible.—As the quick Arrival of this Letter to your Hands is promised to be rewarded by you, or the Officer who receives it, I beg leave to request that you may be pleased to order the Sepoys and Boatmen such Rewards, honorary or pecuniary, as you may think equal to the Merit of their Service.

I have the Honour to be, &c.

James Morgan, Colonel.

Khaunpoor,
29th August 1781.

NUM. 70.

To the Honourable Warren Hastings Esquire, Governor General, &c. Banaris.

Honourable Sir,

Since I inclosed the accompanying Duplicate, I have received a Letter from Lieutenant Pigott at Illahabad, covering a Note from Colonel Blair, to communicate your Orders to an Officer commanding a Detachment proceeding from Khaunpoor to Banaris by Water; and Lieutenant Pigott has sent Three Copies of it that have since arrived. His Care and Attention I must beg leave to recommend here, as from these I received the first authentic Intelligence of your being in want of Troops to assist you; and as by the Words of Colonel Blair's Note, it appears that you had dispatched Orders to me for sending a Detachment of Troops down to Banaris; but these Orders never reached me, and I am now at a Loss to know what Strength you wished the Detachment. To-day, Part of the Detachment I send down to you under Command of Major Crabb will embark, and To-morrow the whole will set off: It consists of a Party of Artillery under Captain Hill, the Two Flank Companies of the European Regiment, and Two Regiments of Sepoys, with Four 6 Pounders and One Howitz; Tumbrils, Ammunition, Draft and Carriage Cattle. All will proceed by Water, but no more Boats can be procured here.

I have the Honour to be, &c.

James Morgan, Colonel.

Khaunpoor,
30th August 1781.

N. B. The Bearer is highly deserving a good Reward.

NUM. 71.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Honourable Sir,


I have forwarded you Six Letters by different Dispatches; but as I have not yet been honoured with your Instructions, and am daily receiving Reports of the Situation of Affairs towards Chunar, I am fearful of their having miscarried, and more so from the Disaffection which seems to prevail in this Part of the Country, and particularly in the Pergunnah of Serinjah, where the Inhabitants are assembling in a small Fort, and rendering themselves as formidable as the Situation will admit. Aware of the Consequences which might attend their Measures, I wrote a Letter to the Aumils, Amur Sing and Ooden Sing, to require their Reason for this Appearance of Hostility; but their Answer was evasive from the Subject I addressed them on, and tinged with Insolence. Such Steps therefore as I deemed necessary for the Defence and Protection of this Place I have been studiously attentive to, and am now providing a Magazine of Provisions for the Expence of the Garrison in case of an Attack, which, from the Information of my Hircarrahs, I find myself threatened with. For Assistance in this Particular I applied to Beecramajeet, Fougedar of Boudgepoor; but though his Professions are tendered with all the Warmth of Sincerity, his Conduct, and Connection with Bucket Sing, induce me to think him but little attached to the Interests of our Government, and I have been therefore necessitated to make further Application to Mr. Graeme at Chupra.—The Number of Troops detached on Command from this Station, reduces my Force to 368 Rank and File, including the contiguous Out Guards and Sick; and I am further deficient in an Establishment to work the Ordnance of the Garrison.—The several Dawks arrived at this Station shall be forwarded under Charge of Major Crawford.

I have the Honour to be, &c.

Isaac Eaton, Major.

Buxar,
30th August 1781.

NUM. 72.

 *The two following Letters were sent from Ramnagar by Teekchund to Govind Ram Pundit at Banaris, and delivered to the Governor General by Beneram Pundit on the 5th September 1781.*

Translation of an Arzee from Rajah Cheit Sing to the Honourable Governor General.

When I waited upon your Highness in your Pinnacle, I represented to you every Thing which was proper to be represented; that my Life, my Country, and Property belonged to your Highness; requesting that you would order whatever was your Pleasure, and I was ready to obey it with Pleasure. I besides performed all the Duties of Obedience and Humility, and represented all the Particulars with a View to the present Time; for I well knew, that as soon as Owssan Sing should be introduced to your Highness, Mr. Markham and the Moulavies, &c. having settled this Plan, would make you conceive Displeasure against me. At that Time your Highness answered, that you had no Business with my Life or Property; that you had not given Admission to Owssan Sing, or any of his People; that you had no Connection with any of my Relations: What Crime did I afterwards commit, that, by the Advice of my Enemies, you should resolve to confine me with such Disgrace? However I remained until Evening in Confinement, and behaved in no Instance otherwise than with the greatest Humility and Obedience.—I addressed several

PART II.

ral Arzees, expressing my Readiness to obey your Orders; and that I was your Slave, and was ready with my Life and Property—Observe, that Cheit Ram Chubdar came to me, and reviled me, and with a loud Voice gave both me and my People the vilest Abuse. The People of the Sirkar first fired Balls from their Guns, and discharged their Muskets; immediately the Tumult arose, and, notwithstanding my most earnest Request for them to desist, no one would hear me. Myself, after being wounded by a Sword in the Hand of the Captain, escaped with Life from that imminent Danger, and withdrew myself. If you will examine with an Eye of Justice, and without listening to Tale-bearers and Informers, you will find no Crime in me; and your Mind, which is the Mirror of the World, will I am certain approve of it.—I have before addressed Arzees to you, but have not yet been honoured with an Answer.—Owian Sing has not yet ceased from ruining the Affairs.—Should now my Life and Honour be left to me, I am your Slave.—Beneram Pundit will have represented my Situation to you, and will continue to do so.]



NUM. 73.

Translation of a Letter from Rajah Cheit Sing to Beneram Pundit.

I formerly wrote all Particulars of my State to you at Calcutta, that you might explain them fully to his Highness the Nabob. When his Highness came towards this Quarter, I repeated every Thing to him on board his Pinnace: That I was in every Instance ready, that my Life, Country, and Property belonged to him, and that he should do whatever he wished. To this he replied, that he had nothing to do with my Country, Property, or Life. A Day or two after he sent a Battalion to Shewallah, with Mr. Markham and Three other Gentlemen, and put me into Confinement; he likewise sent Guns. Notwithstanding this I made no Opposition, and remained confined till Evening. I addressed an Arzee to the Governor, that I should make no Opposition, and that he might do with me whatever he liked. This however did not meet with his Approbation. Cheit Ram Chubdar came to me, and gave the vilest Abuse to me and my People; they then fired the Guns and discharged their Muskets. In this Instant I most earnestly requested them to desist; but upon the Captain's striking me with his Sword, the Tumult commenced; I myself having escaped with Life, remained at a Distance, when Battalions and Guns, sent from the Fort of Chunar, arrived at the Town of Ramnagur. My People, for the Protection of their Honour and Credit, defended themselves.—As my Honour is bestowed on me by the Nabob, I have therefore addressed an Arzee to his Presence, which you will present, and procure a speedy Answer. Whatever may be proper, do you represent, and send me an Answer.

NUM. 74.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Honourable Sir,

The Relation of the unlucky Accident which prevented my going to Chunar, and the Distresses I have suffered since, I shall forbear mentioning till I have the Honour and Happiness of seeing you; I will only briefly acquaint you, that the Rajah having discovered the Place of my Concealment at the House of Gopaul Dofs, he sent a Number of his People Yesterday to take charge of me, and I am now with him at Lutteefpoor.

Pardon me, Sir, and do not impute it to any presumptuous Liberty, if, at the Rajah's humble and earnest Entreaty, I propose, on his Part, Terms of Conciliation and Submission: He solemnly declares that the Misfortunes resulting from the late Event were contrary to his Wish and Intent, his Disposition ever leading him to live in Peace and Friendship with the English Nation, and to pay implicit Obedience to your Commands. The Rajah desires me to say, that he is disposed to pay the Honourable Company the customary Tribute, and any other Demands you may in Reason make upon him. To this you will please to reply, as the Exigency of our Situation and your superior Wisdom may suggest.

I assure you, Sir, that though I am now in the Rajah's Power, and cannot avoid repeating to you what he has requested, I have taken up my Pen with Fear and Trembling, lest any Thing I have said should give you Displeasure; for I am conscious of my Inferiority, and scarce dare entertain a Hope that any Thing that comes conveyed through me will be attended to; but I confide in the Goodness of your Heart; and the bare Possibility of being instrumental to the putting an End to our present Troubles mitigates all my Fears.

You will perceive my present distressed Situation, and pardon every Impropriety and Inaccuracy in this Letter; and believe me to be with the sincerest Attachment and Respect,

Honourable Sir, &c.

Jacob Barnet.

Lutteefpoor,
Tuesday 5th September 1781.

NUM. 75.

To the Nabob Vizeer.

I was made happy by the Receipt of your Excellency's Two Letters, accompanied by Mr. Middleton's, acquainting me that you have advanced some Days Journey from Lucknow, and arrived at Peepulpoor, and that you would proceed from thence towards this Place, where you would soon arrive. Before this I wrote to your Excellency, requesting that you would lay aside your Intention of coming here, and return to Lucknow, that you might not suffer any Inconvenience on the Road, from the rebellious Disposition of Cheit Sing's People; and that I, having settled these Matters, would proceed to an Interview with your Excellency; and that you ought by no means to think of coming to this Quarter. But as I learn that notwithstanding this your Excellency is resolved on coming to my Assistance, I am filled with the highest Gratitude for so noble a Proof of your Friendship. It is now incumbent on your Prudence and Circumspection that you advance with the greatest Caution, to prevent any Inconvenience from the Treachery of Cheit Sing's People. As soon as I am informed of your Excellency's Approach to Chunar, I will cross the River with as many Troops as I have with me, and will proceed to meet you. Three Days ago Major Popham, with a small Part of his Detachment, attacked a large Force of Cheit Sing's entrenched near the Fort of Pateeta, defeated them completely, and took Four Guns, several Tumbrils of Ammunition, and a considerable Quantity of all Sorts of Military Stores. I beg leave to congratulate your Excellency on this signal Success.

September 6th, 1781.



[NUM. 76.

From Cheit Sing to the Governor General.

Before this the Arzees which I have repeatedly addressed to your Presence will have been perused by you, but to this Time I have not been honoured with an Answer to any one of them. I am in every way ready in my Allegiance and Duty, and have obeyed all your Highness's Orders, and never have I been negligent in any one Point; and your Highness, from your Goodness and Justice, has always been pleased to protect and support your own Slave, and to shew him Favour. All this Time, when from the unfortunate State of the Times the Reports of self-interested Persons have met with Reception at the Presence, I humbly represent that the Words of evil-minded, self-interested Persons be not attended to; but that your Highness, looking upon me as a Slave raised by yourself, will be favourable towards me, because I am your Slave, and am ready in my Duty and Allegiance. Although I have been guilty of no Fault, yet the Slave is by all means criminal, and the Business of the Master is Pardon. By the Blessing of God, your Highness is the Master, and is just; let him consider that in all the Three Battles the Army of the Sirkar was the Aggressor. Now Matters have passed the Extremities. Should you even now bestow Life upon me, it would not be foreign from the Duty of a Master.

Dated the 21st of Ramzaun.]



NUM. 77.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Honourable Sir,

A Detachment of 100 Europeans, 30 Artillery Men under Captain Hill, 2 Regiments of Sepoys, 1 Howitz, &c. under the Command of Major Crabb, set off by Water on the 31st ult. for Chunar. Your Order of the 25th ult. I received the 1st, and that of the 26th on the 2d. I sent by Express your Order to Colonel Cumming immediately. I am preparing to follow the Detachment with my whole Force as soon as possible. I have wrote to you Letters in Triplicate, to inform you of what I have done. I have given Major Crabb particular Orders to carry down Grain and Provisions with him, and gave him 25,000 Rupees to purchase it with, which was all the Cash in the Treasury here. I am now much distressed for Boats. Some of my Letters I sent down by Water. Depend upon my using the utmost Expedition.

I have the Honour to be, &c.

Khaunpoor,
4th September 1781.

James Morgan, Colonel.

NUM. 78.

GENERAL ORDERS issued at Chunar 8th September 1781.

The Governor General desires to express publicly the Sense which he entertains of the gallant Behaviour of the Officers and Troops in the Attack made upon the Enemy's Camp near Pateeta on the 4th Instant. The Governor General considers Captain Blair as entitled to his warmest Approbation, for the Resolution and Conduct which he evinced in defeating a Force so much superior in Number, nor wanting, as it has appeared, in personal Bravery.

PART II.

The Spirit exerted by Lieutenants Fallon, Birrell, and Murray, who led the Grenadiers; the Service performed by the Artillery, under Charge of Lieutenant Baillie; and in general the Steadiness and Attention of every Officer in his Station, materially contributed to the Success of the Action, and give them a Claim to the highest Commendations.

The Governor General also highly commends the Care and Activity of Mr. Laird, in his Attention to the Wounded during the Action.

It is with great Satisfaction that the Governor General gives the Praise, which has been represented to him as due, to the distinguished Behaviour of the Grenadiers of the Detachment.

NUM. 79.

To Colonel Morgan.

You have acted nobly, and with a Decision that does you Honour. I most heartily thank you. I have had a Letter from Major Crabb, dated the 2d, from Illahabad: He proposed to march by Land from thence, and I expect him hourly; though I have not heard from him since. The Nabob is near; Major Moses Crawford is also on the Way from Dynapoor, and is reported to be at Sukkerdeea, which is but 4 Cos from Ramnagur. I have written to you the News of the 3d. On that Morning Captain Blair, with 5 Battalion Companies and 2 Companies of Major Popham's Grenadiers, with Two Six Pounders, attacked the Enemy, encamped in a Body of more than 4000 Men, at Pateeta; and after a very severe and doubtful Conflict, in which we lost 105 Men, killed and wounded, he obtained a most decisive Victory, taking all their Guns and Ammunition, viz. 4 Guns, 4 Tumbrils, and of Ammunition an incredible Quantity, most of which he destroyed, spiked One Gun, and brought away the rest. I hope that it will be unnecessary for you yourself to proceed this Way; yet march, and use your own Discretion in advancing. If your Presence shall be required, you will receive the surest Proof of it by the Failure of my Letters. I less fear the actual Enemy than the Contagion of the Example. I am much pleased with the Nabob.

Chunar,

8th September 1781.

Warren Hastings.

NUM. 80.

To the Honourable Warren Hastings Esquire.

Dear Sir,

Futteh Shah, Genoo Roy, and Ajeet Mull, with a large Body of armed Men, are come into Huseepoor. The Two last have, I understand, joined Futteh Shah, on a Promise of his Assistance in obtaining Possession for them of their Zemeedaries in Gooruckpoor, which is to be the second Object of this Confederacy. I have no Force to defend any Part of my Districts, and have therefore been under the Necessity of calling on the Zemeedars of Sirkar Sarun for their Assistance on this Occasion, and some of the principal Men amongst them are gone with their Dependants to Huseepoor; but I confess I have no great Confidence in them. Several of them are intimately connected with Cheit Sing; there are also some allied by Marriage to Doorgbijey Sing and to Owfan Sing: The Names of these last are Gopaul Narain, Serib Narain, Govind Narain, Hir-Govindsaw, Bonisser Saw, and Ragonaut Saw. Letters to them from Doorgbijey Sing and Owfan Sing would be of infinite Service, and might, in some Degree, counteract the infamous Attempts of Cheit Sing. One Letter of his (and I have Reason to believe there are many in Circulation) addressed to Durjoo Sing, a Zemeedar of the District, at present employed in Huseepoor, was by him carried to the Aumil of that Place, who immediately sent it to me*. It is signed by Cheit Sing's own Hand, and has the large Seal of his Government affixed to it. He therein desires Durjoo Sing to kill every European and Sepoy he can, and join him with all his People.

In my Letter of the 25th ultimo I acquainted you with the Application I had made to Colonel Ahmuty, for a Battalion of Sepoys, and with his Refusal. He wrote me, that the whole Force at Dinapoor was Nine Companies, that they were lately incorporated, and the Arms they had unserviceable.

Chuprah,

4th September 1781.

I have the Honour to be, &c.

Charles Græme.

NUM. 81.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

I wrote you Yesterday by your Hicarrahs, who were pursued, and are returned. The Body Guard and Troop are with me. I shall halt hereabouts till I hear from you, or of your being at Ramnagur. Your Hicarrahs will attempt to return To-night again.

Sir, &c.

Camp, Dildarnagur,
September 9th. A. M.

Moses Crawford, Major.

* This is entered in Part III.

NUM. 82.

To Colonel Muir.

Chunar, 10th September 1781.

[This Letter has already been inserted in the Appendix, Part 1, P. 176, No. 4. B.]

NUMB. 83.

To Edward Wheeler Esquire.

Sir,

I have advised you in Triplicate of the Success gained by Captain Blair on the 3d. It was dear, but decisive. With 550 Men opposed to more than 4000, he completely routed them, took all their Guns (4), Tumbrils (4), and Ammunition immeasurable. Major Moses Crawford is at Dildarnagur, about the Midway between this and Buxar; there he will remain till Major Popham moves. Yesterday Morning Major Crabb with his Detachment, consisting of 100 European Infantry, 30 Artillery with Captain Hill, and Two Regiments of Sepoys, arrived, and these were all transported to this Side before the Evening. Major Roberts with his Regiment, and One Lack of Rupees, has passed Illahabad, and is hourly expected. The Nabob Vizeer, whose Conduct I must in Justice applaud, arrived this Morning at his Camp on the opposite Side of the River. There I met him. He proposes to cross and encamp on this Side with a small Guard. His Army would starve us. I hope that Major Popham will be able to begin his Operations on the 14th at the latest. Doubt not of the speedy Success. The Rajah has made repeated Overtures for Peace, less humble in Terms than in the Mode; but I have declined to answer him, or even to temporize: The Example is dangerous, and ought, even with Hazard, to be checked in this first Instance. You will have heard, and you will hear, many false and alarming Reports; for the Enemy invent, and our own Hircarrahs exaggerate. Colonel Morgan has acted with a Promptness and Decision which merit public Thanks; and I with Pleasure learn, that all the Officers of the Detachment shewed an Eagerness equal to his. Colonel Morgan appears to have formed the Resolution on the 29th; the Troops were embarked on the 31st, and they arrived in less than Ten Days from Khaunpoor. I avail myself of this vacant Space to assure you, that all will terminate happily.

Chunar,

11th September 1781.

Warren Hastings.

NUM. 84.

To Major Moses Crawford.

Sir,

I desire that you will immediately proceed with Caution, but with Expedition, to this Place; you are not likely to be opposed.—I shall advise Major Popham, with whom your Junction would be at this Time liable to Uncertainty, and is unnecessary.

Chunar,

17th September 1781.

I am, &c.

Warren Hastings.

P. S. Major Popham is at Pateeta.

NUM. 85.

To Colonel Sir John Cumming, commanding the temporary Brigade.

Sir,

It being necessary, in the present Situation of Affairs, that the whole Military Force beyond the Provinces should act in Concert, and be ultimately under the Orders of the senior Officer; you will therefore be pleased to obey all such Orders as you may henceforth receive from Colonel Morgan.

Chunargur,

13th September 1781.

I am, &c.

Warren Hastings.

NUM. 86.

To Colonel Morgan, commanding the Forces beyond the Provinces.

Sir,

As the present Situation of Affairs makes it probable that our whole Military Force beyond the Provinces may be required to act in Conjunction, or at least in Concert, I have, in the accompanying Letter to Colonel Sir John Cumming, directed him to obey all such Orders as you may judge proper to send him; and I request, that on Receipt hereof, you will please to order him to send the Regiment of Cavalry, and One Regiment of Native Infantry from his Brigade immediately, to Lucknow for the Protection of that City.

Chunargur,

13th September 1781.

I am, &c.

Warren Hastings.

PART II.

NUM. 87.

To the Honourable Warren Hastings Esquire.

Sir,

I received your Note of the 4th, at 1 P. M.; marched in 15 Hours after—empty Magazine, shattered Artillery—Troops 3 Months in Arrears—have 10 Rounds per Man—with me 3 Regiments; 2 good, 1 bad—Eight Guns—my whole Force. Considered the Circumstances under which you wrote—Country not to be left without the Appearance of Troops—disposed to Disturbance—left Landeg with 5 bad Guns—18 Companies that could be of little Use with me—will keep all quiet—save Cantonments—durst not recal Daranagur Troops; would be abandoning the whole Upper Country—sent Express to be ready at a Moment's Notice—sent Morgan most of the Boats, pressing all on the River—shall send them off the Moment they arrive—wrote to him, if he will stay at Khaunpoor I will go to Chunar—if not marched, believe can be there before him by Land or Water—think there is no Force can prevent me—shall be at Khaunpoor the 10th.—No Answer from Morgan.—Cavalry cannot get on faster than the Sepoys.—If I go on, I hope for Ammunition at Khaunpoor.—If Morgan has marched I must stay at Khaunpoor; or, if he will go, I have your Orders to stay—he to march.—With I had been at Khaunpoor—did not think you would been obliged to go to Chunar Fort.—Have done every Thing for the best, am satisfied of this; but with your Approbation, if Morgan is marched, and I have bad Accounts, will leave the broken Regiment at Khaunpoor, and push down by forced Marches.—Beg, if possible, to hear from you.—Send Duplicate of this.

Kanouge,

John Cumming.

7th September 1781.

NUM. 88.

To Major Popham.

Sir,

You will receive into your Charge and Command the following Corps of the Army now assembled at this place; viz. The Grenadiers and Light Infantry of the 2d Regiment of European Infantry; a Detachment of Artillery from the 2d Brigade; the Foreign Rangers; 1st Battalion of the 6th Regiment; 19th, 30th, and 35th Regiments of Sepoys, and a Detachment of Sepoys commanded by Lieutenant Polhill, and a Body of Cavalry furnished by the Nabob Vizeer.—Major Moses Crawford, commanding the 28th Regiment of Sepoys and a Detachment of Cavalry, and Major James Crawford, commanding the Independent Companies of Sepoys stationed at Chitra, have been directed to put themselves under your Command, and their Corps are to be considered as Part of your Detachment.

These Troops you are to employ, without Loss of Time, in subduing and dispersing the rebellious Forces of Rajah Cheit Sing, and in reducing the Zemedyary of Banaris and its Dependencies to the Obedience of the Company.

That you may be enabled to carry these Orders into effectual Execution. I hereby give you full and absolute Authority, independent of all other whatsoever, except that of the Governor General and Council and my own, to prosecute this Service in whatever Manner you shall judge most expedient for bringing it to a speedy and successful Termination.

When the Service will admit of a Reduction in the Strength of your Detachment, you will please to return to me the 30th Regiment of Sepoys; and as soon as a further Reduction can be admitted, the 1st Battalion of the 6th Regiment of Sepoys and Lieutenant Polhill's Corps are to return to this Place.

Chunargur,
the 15th of September 1781.

I am, Sir, &c.
Warren Hastings.

NUM. 89.

To Major Isaac Eaton commanding at Buxar.

Sir,

I have received your Letter of the 12th Instant. I approve of the Measures you have taken. I enclose Letters for Ally Azeem Khan and Bauboo Boobnarain Sing, which please to forward. All here is well. Major Popham is besieging Pateeta.

Chunar,
the 18th of September 1781.

I am, &c.
Warren Hastings.

NUM. 90.

To Edward Wheler, Esq.

Sir,

My last was the 11th.—The Forces now assembled are the 6th, 7th, 19th, 30th, and 35th Regiments, Lieutenant Polhill's Battalion of the Body Guard, Two Companies of European Grenadiers and Light Infantry, 30 Artillery Men, and the Rangers, and 600 of the Nabob's Horse.—Major Popham marched on the 16th; one Division to Pateeta, another with Major Crabb to the

Back of Lutteefpoor.—I do not expect any Thing decisive so soon as I wish—there must be Delays, and I feel them sorely; but I thank God that I am myself a Witness of the Evils, Wants, and Errors of our Service, though I have been nearly the Victim of them; since it has furnished me with the Means, though slow, of correcting them. The Province of Oud has caught the Contagion; but I shall dismiss the Nabob in a few Days, and doubt not but his Troubles will be soon quelled. I give my sole Attention to the present Object, which accomplished, every other will follow. Major Crawford must be near. I expect him hourly. Believe me Report. I have not yet received one Letter from you.

Chunar,
18th September 1781.

I am, &c.
Warren Hastings.

NUM. 91.

Extract of General Orders issued at Chunar 18th September 1781.

Captain Hogan is ordered to raise immediately a Corps of Native Infantry, to consist of Seven Companies of One hundred Rank and File each, to form a Guard for the Resident of Banaris.

NUM. 92.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

I was yesterday honoured with your Letter of the 8th Instant; and it gave me a sincere Pleasure to learn the Success of our Arms under Captain Blair, and of there being so promising a Prospect of Punishment speedily falling on the Rebel Insurgents. I arrived here, after Five Days March, from Khaunpoor. The Troops suffering greatly from the Heat rendered it necessary to halt a Day here. To-morrow I proceed to Illahabad, where I hope again to have the Pleasure of hearing from you, or of getting such Intelligence as may serve to direct me to take such Measures and make such Movements as may best promote your Designs. I have Two Packets for you from Colonel Muir: They being large and of Importance makes me unwilling to trust them as yet to be conveyed by Hircarrahs.

Karra,
15th September 1781.

I have the Honour to be, &c.
James Morgan.

NUM. 93.

To Colonel Morgan.

Sir,

I repeat my Thanks for the effectual Aid which you have given me, and the Decision with which you resolved on it. The Detachment arrived the 10th; Major Roberts's Regiment the 13th; and I hourly expect Major Crawford from Dinapoor. Major Popham has invested Pateeta, a Fort 6 Miles S. E. of Chunar. We have now a Force equal to every probable Exigency come to Illahabad, and remain there. You need not advance; and I hope in a few Days to be in a State to desire you to return. I had less Cause to guard against the actual Enemy than against the Contagion of Example. The Nabob has acted most honourably. Send immediately to Joosy the Bazar People of the 7th and 19th Regiments, the Camp Equipage, Lashcars, &c. of the European Artillery and Infantry with this Detachment, and as much Flour as you can spare for the latter. An Escort from the Nabob will conduct them from Joosy.

Chunar,
19th September 1781.

I am, &c.
Warren Hastings.

NUM. 94.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

It is with the greatest Concern I send you the enclosed for Mr. Middleton, intercepted by the Rajah's People. There is another Letter from Major Hannay, dated Fyzabad, 10th Instant; the Purport of which is nearly the same as that inclosed, to caution you against the secret Designs of the Nabob, and that he (Major Hannay) is much distressed and ill. The Rajah will not suffer me to send the Major's Letter to you, from some capricious Whim: I dare not now ask him; but the Major says nothing more than I tell you. I was obliged from sad Necessity to tell the Rajah some Part of the Contents of the Enclosed; but I took care it should be merely plausible: I omitted such Particulars as he might take the least Advantage of. For Heaven's Sake, Sir, condescend to listen to some Terms of Conciliation, while we can do it without lessening our Dignity. Pardon me the Presumption of advising you. I am, it is true, wanting in Wisdom and the Knowledge of Politics, but I see the Rajah is very (I fear too) formidable. I am greatly distressed at the Contents of the inclosed Letter. Heaven avert the impending Storm, and protect you ever!

Lutteefpoor,
Tuesday Night 11 o'Clock,
18th September 1781.

Jacob Barnet.

PART II.

NUM. 95.

To Nathaniel Middleton Esquire (enclosed in the above).

My dear Nat.

In such critical Times as these every Man has a Right to relate what he hears. A Friend should and may do it without Impropriety; therefore, before Hannay leaves the Neighbourhood of Fyzabad, I write you my News and Opinion, lest hereafter our Communication be cut off. There is certainly Villainy abroad. The Nabob, it is said, set out well inclined to our Interest; but since, he and Saadut Ally have come to a proper Understanding: The latter wrote him, he was wrong to give us any Assistance; that such another Opportunity might never offer of striking off the Yoke; as yet he need only stand neuter himself, and, under Pretence of assembling his Zemeedars to attack Cheit Sing, privately direct them to obstruct the Junction of our Forces by every possible Means. The Begums gave the same Advice, and Promise of Money. *This* Cheit Sing has already disbursed to a great Amount. This Plan was the Cause of Gordon's Disaster, being attacked in the Nabob's Country while he thought himself amongst Friends. My Information is from some Zemeedars, who I have had it in my Power to be kind to. Also, it is the public Talk of Fyzabad, where my People are daily insulted. Likewise Zalim, who is with 2,000 Men on the other Side, and means to cross in the Morning, boasts that he will soon do for us, as the Nabob will send Hannay no Assistance, that he is sure of; nor will any of the Collectors pay more Money. We shall therefore shortly have none to pay our Troops with, while *they* have Plenty. Hannay is now about Two Cofs below Ry Ghaut, on the Oud Side, with only Two Companies, Two Guns, and (I believe) some disaffected Horse. I have written him pressing to cross to this Place; for should Zalim be over before him, I shall be hemmed up in a small Fort with 150 Sepoys, when Zalim will take care Hannay does not get over to relieve me; perhaps, while attempting to pass the Gogra, be attacked by the People of the Begums, with the Zemeedars set on by her. In such an Event he could not possibly escape Destruction: My Waukelaut would soon be settled after such an Accident. I am apt to think this Marattah Treaty is only a Fetch to gain Time, until the Rains are over for certain, as their Horse could not act during that Season. Look to yourself, Nat; you may be in the Nabob's Power. Mr. Hastings should not leave Chunar until there be Force very sufficient at Hand, both to check his Excellency and do for Cheit Sing, lest he get into a worse Scrape. A very few Days will determine it one way or other with regard to us *Rulers* over these. You may think me humming; but it is more than Odds we never, never meet again. God prosper you! and pray take care, &c.

Amore,

9th September 1781.

Yours, &c.

J. Macdonald.

NUM. 96.

To Mr. Barnet.

Dear Sir,

The Governor has received your Letter of last Night's Date, and desires me to acquaint you that it gives him great Concern to find you are compelled to be the Instrument of Conveyance of the Rajah's Letters and Messages, which the uniform Treatment they have met with from the Governor must have convinced you are totally useless and unavailing. He wishes therefore you would, once for all, acquaint the Rajah, that it will be to no Manner of Purpose to force this disagreeable Task upon you in future, and that every Application from him hereafter will meet with the same Reception as the past, and be absolutely inadmissible. I sincerely wish you released from your present distressful Situation.

Chunargur,

19th September, 1781.

I am, &c.

W. Palmer.

NUM. 97.

To Major Popham*.

I had before heard of your Success, and was pretty well apprized of it from my own Observation at Day-break, and after; but my Satisfaction was checked by my Fears for the Loss which you might have sustained.—Your Note has relieved me. I am happy, and I do most heartily congratulate you on the complete Success of this Achievement, which in every Light reflects the highest Honour on your Conduct, and on the Bravery and Steadiness with which it was followed. I am sending an Order to Major Crawford to join you this Evening, and will exchange his Guns for 2 Six Pounders.

You will have perceived from Major Crabb's Letter, that his Junction with you is no otherwise to be effected but by the Conquest of Lutteefpoor; for it will ruin his Corps to return by the same Route, and he has no other, except the high Road, which is through Lutteefpoor and Patetta. Let me know what you propose doing next. I shall send a Transcript of your Note in Quadruplicate to Calcutta; and beg the Favour of you to order Captain Scott, or any other able

* The Letter to which this is an Answer is No. 100.

Hand, to write and send me the Particulars of this Day's Action, and a Return (which I yet expect to give me some Pain) of your Killed and Wounded. Once more I give you Joy, and add my most hearty Thanks; and I beg that you will present these in the strongest Terms (they cannot exceed my Feelings) to the Officers and Men of your Army.

I am, &c.

Past Eleven 20th September 1781.

Warren Hastings.

NUM. 98.

To Edward Wheler Esquire.

Sir,

I most heartily congratulate you on the Success of our Arms in the Conquest of Pateeta, for the Particulars of which I refer you to the inclosed Letter from Major Popham. I understand that large Reinforcements, both from Lutteefpoor and Ramnagur, opposed him in the Field. It was intended to attack both Pateeta and Lutteefpoor at the same Time, and the former by an instant Assault. Major Crabb, with a strong Detachment appointed for the latter Service, marched on the Night of the 15th by a large, and, as it has since appeared, scarce practicable Circuit, towards a Pass which lies behind, or to the South of Lutteefpoor. A Letter received this Morning mentions his Arrival on the Plain which adjoins to the Pass, after a March of Three Days, instead of One, as was expected. It is the Road to Bidjeygur, and said to be the Repository of all the Rajah's Ammunition. Major Popham marched at Two of the same Night, nor did he reach his Ground with his whole Line until Ten, and then found the Place too strong to attempt it, without a regular Approach and battering Cannon. It fell at Six this Morning. I regard this Victory as a decisive Turn of our public Influence; but the greatest Proportion of my Joy is derived from the Consideration that it was gained with little Bloodshed, an Advantage which I attribute, as I expected it, to the superior Skill and known Composure, nor less Humanity, of Major Popham. Major Crawford arrived here Yesterday Morning, much harassed, but without Loss or Impediment on his Way.

Chunargur,

20th September 1781.

I have the Honour to be, &c.

Warren Hastings.

NUM. 99.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Honourable Sir,

As my Answer to your Favour of the 16th, which I did not receive until the 23d, the Day I wrote the Reply, and also my Answer to Major Palmer's Letter, dated the 17th, which I received the 21st in the Morning, and answered it directly, are stopped at Buxar with the other Letters, I have engaged two People, to whom I am to give One thousand Rupees, to deliver this, and bring an Answer from Chunargur. Should they get safe, you may, Sir, intrust them with any Letters, and I will forward them. Major Crawford's 2d Battalion, together with the Major, marched from hence the 22d in the Morning. I immediately sent Orders to Captain Maxwell to cross over from Manjee, and join Major Crawford at Buxar, which he accomplished. I have acquainted General Stibbert with what I have done, and the Necessity of ordering up immediately another Regiment and Four Six Pounders as soon as possible. I have acquainted him with the melancholy Accounts I have heard of your Situation, losing your Boats, and Major Popham's Regiment being almost destroyed. You may rest assured, Sir, there shall not be any Thing left undone by me for your Service, that I will not do. I have ordered Captain Salt's Troop to march to join Major Crawford as soon as possible, Mrs. Hastings having signified to me that she would send the Fifty Body Guard to join them. I hope you will approve of this, as it cannot be attended with any bad Consequence, whatever good so small a Body of Cavalry may do. I have got out One Six Pounder from the Magazine, the only one serviceable there, and am training up some of the Sepoys to work it, Two from each Company, not having any other People here. Our Arms are very bad, but I am in Hopes the Boats will arrive with the new Arms in a few Days. Every Thing at present is quiet in these Parts. Mr. Græme made a Requisition the 24th Instant for a Battalion, but I was obliged to refuse him on account of this Regiment having unserviceable Arms and Accoutrements, and also as it has been so short a Time incorporated. This I flatter myself you will approve of.

Dinapoor,

August 26 1781.

I have the Honour to remain, &c.

A. Ahmuty.

NUM. 100.

To the Honourable Warren Hastings Esquire.

Dear Sir,

I have the Happiness to inform you we are in Possession of Pateeta, and I believe with little Loss. When the Enemy heard our Attack, a large Body posted on the Hills to the Left of our Rear, made for the Camp; but the European Grenadiers and Light Infantry, whom I had kept

PART II.

as a Corps de Reserve, moved towards and totally routed them. Their Cavalry at the same Time made a Motion, with some Infantry, towards the Right of our Camp, on which a Gun was sent through some high Grabs to an Out Post, and by firing Two or Three Rounds, obliged them to fly. Could I have afforded a few Sepoys from the Camp, or had the Cavalry done any Thing, Numbers of the Runaways must have been destroyed. I just hear very few of our Sepoys have been killed, and not an Officer hurt. The Enemy has sustained great Loss. Had you not better, Sir, dispatch Major Crawford's Corps to relieve Major Roberts's?

I am, &c.

W. Popham.

Camp, 20th September 1781.

NUM. 101.

Journal of a March over the Binde Hills from Chunargur to Lutteefpoor; delivered to the Governor General by Major Crabb, who conducted it.

Saturday, 15th September 1781. The following Extract of Orders, issued by Major Popham, received from the Brigade Major's Office at Half past Five in the Afternoon.

"The 1st Battalion of the 6th Regiment, the 7th Regiment with 4 Guns and 1 Howitzer, Lieutenant Polhill's Corps and his Two Guns, to march this Evening at 7 o'Clock; the Ammunition for the Guns to be carried on Bullocks. This Detachment to be commanded by Major Crabb, who will receive his Orders from the Commanding Officer at 6 o'Clock."

The Ammunition and Stores being ready at Ten, the Detachment marched by the Right, over broken Ground, to the Bank of a Nullah; the Water too deep to admit of the Guns crossing without taking off the Limber Boxes, which were carried on the Lascars Heads: this occasioned a Delay of Two Hours.

Sunday 16th. The Rear Guard being crossed, I moved on over a Plain with low Jungle about one Cofs, with a Hill on the Right, to the Foot of a very steep and rugged Pass, with deep Gullies and thick Jungle on each Side: Near the Top were two sharp Turnings, which increased the Difficulty, and added so much to the Delay, that the Sun was rising by the Time the Guns had gained the Top; the Jungle continuing very thick, but low, for near a Cofs, which opened an extensive Plain, tolerably well cultivated, and Two inconsiderable Villages in it. About a Cofs from the Entrance on this Plain, a very narrow but deep Nullah delayed us for Two Hours. About ½ths of a Cofs further on, met with a River, the Bed and Banks of it exceedingly rocky; upwards of an Hour and Half was employed in crossing it; moved along the Bank under a steep Hill about a Mile, the Road full of Rock and large Stones; re-crossed the River, which was more difficult than before, the Bed of it full of very large Rocks, and the Bank very high, through which it was necessary to cut a Road for the Guns. About 2 o'Clock, every Thing being crossed, the Detachment moved forward through a thick Jungle, with broken Ground and Hills on each Side, to the Bed of a small River full of Rocks; on the opposite Side a steep Pass, which with much Labour we got through. The Cattle being much fatigued, the Sepoys were put to the Drag Ropes, to get on the Guns, which delayed us until near 4 o'Clock. A great Scarcity of Water prevailed; Hircarrahs were sent out in Search, but none was to be found nearer than Three Miles in our Front, where they discovered a Lake; a thick Jungle between Two high Hills all the Way to the Water, where it became more open. The Cattle being so much spent with getting up the Hills, it was Sun-set before we got near enough the Lake to halt, which I did, with it on my left, and a very high Hill on my right Flank, having been upwards of 20 Hours on the March; and the Distance from Chunar I judged to be about Six Cofs.

Monday 17th. The Detachment got under Arms at 4 o'Clock, and marched through a thick Jungle; crossed the Bed of a small River, the Banks somewhat steep, the Road narrow, but tolerably good, to the Foot of a long and steep Pass, with a very deep Gully close on the Right; the Ascent very difficult, from the Number of large, flat, smooth Stones, where the Cattle could not hold with their Feet. With the Assistance of the Sepoys, about Ten o'Clock we gained the Top, and moved on over a Plain with large Trees, the Ground in many Places rocky, but level. About a Mile from the Top of the Hill came to a River, the Bed of it full of very large Rocks, over which, with much Labour, we got the Guns. At 1 o'Clock moved on over rocky Ground, the Country opening. About One Cofs from the River entered an extensive Plain, near the Village of Koradee. Several Villages appeared on the Plain, the Inhabitants whereof fled on our Approach. The Country appeared to be well cultivated; the Road over the Plain led through Rice Fields. At Sun-set encamped. The Distance this Day about Six Cofs.

Tuesday 18th. At Three o'Clock put the Detachment in Motion, and marched for the first Part over a Plain full of small deep Holes, which rendered it difficult and dangerous for the Cattle until Day-light, when we entered a thick Jungle, with many deep dry Nullahs, which retarded us very much, being obliged to cut Roads for the Guns, there not appearing the least

Trace of a Road. About 2 o'Clock entered a very large Plain, with several small Villages on it; the Inhabitants fled to the Jungle on our Approach. About 3 o'Clock encamped near a large Lake, and employed the Smiths and Carpenters in repairing the Bullock Yokes, and the Pintles of Two Guns. This Day's March about Five Cofs.

Wednesday 19th. Got under Arms at 4 o'Clock, and marched over a Plain, the Road leading through Swamps and Rice Fields, with high Banks, which retarded us much. Passed through the Village of Muddoopoor, a large Village, which seemed to have been a Place of some Note, but deserted. Here the Hircarrahs brought Intelligence, that a large Body of the Rajah's Troops were encamped about 3 Cofs in our Front, near the Village of Lora, with some Guns. The Road between us for a Cofs was a very thick Jungle. I moved on and took post near the Jungle, with a large Lake on my right Flank, and a rising Ground and Village on the Left; from hence I saw the Fortrets of Bidjeegur, which appeared very high, and above 8 Cofs distant. The Day's March above Five Cofs.

Thursday 20th. At Daylight the Detachment marched, entered the Jungle, which continued for a Cofs in some Parts very thick, where I expected to be annoyed by the Enemy. At Sunrise the Advance Guard got clear of the Jungle, when I discovered the Enemy, about 2,000, drawn up in a good Situation, with their Guns on the Right (immediately opposite the Road out of the Jungle) on a rising Ground, and a small Bank thrown up in their Front; a Tope, and the Village of Lora, on their Left; a deep Morafs in their Front. They began to cannonade on the Approach of the Troops on the Plain, and continued it briskly, until the whole had cleared the Jungle, and formed the Advance Guard. Returning in with One Gun as soon as the Line was formed, I advanced as briskly as the Ground would admit, firing the Six Pounders, until I had got near enough for the small Arms to do Execution; at the same Time I directed Lieutenant Polhill from the Right to advance Two Companies, and secure the Guns of the Enemy; but before he could execute the Order, they retreated, leaving their Guns, Ammunition, and about 150 dead, and about 20 wounded, through a Jungle, to Lutteefpoor, about Four Cofs. Having no Means of carrying away the Guns and Ammunition, I destroyed it, rendering the Guns useless, and burying them. The Road to Lutteefpoor led through a Jungle, and over a very steep and rugged Hill, where no Water could be got, prevented me from pursuing further than Suckroor, an inconsiderable Village, about a Cofs from Lora, on a small Plain, where I encamped to bury the Dead, and collect the Wounded, amounting to 34, of every Denomination. This Day's Distance about Two and Half Cofs.

Friday 21st. At 4 o'Clock the Detachment marched over a good Road, but jungly for about 2 Cofs, when we got to a dry Nullah, the Descent very rugged, the Ascent still more so; the Road very narrow and winding, and full of very large Stones and Rocks, over which the Guns were lifted; with much Labour and Time we gained the Summit, from whence we saw the Fort, distant about Three Miles. The Side of the Hill leading to the Town was yet worse than what we had passed; the Road from the Foot of the Hill to the Fort was very narrow, with a thick Jungle on each Side, but pretty level. At Noon I entered the Town of Lutteefpoor, which had been evacuated while the Troops were getting down the Hill; about 800 of the Rajah's People having been all the preceding Night plundering it. They left behind them Six Pieces of Cannon, and a great Quantity of Ammunition and Stores; Three Pieces of Cannon were found on the Hills, intended to defend the Entrance from Pateeta. The Fort stands in a Bottom, with high steep Hills on Three Sides, with thick Jungle all round close to the Ditch, which is deep on the Pateeta Side, where the Wall is of Stone: the other Sides of the Wall are composed of Part Stone and Part Mud, with Loop Holes. The Guns were mounted on wooden Swivels in the Centre of the Bastions. The Citadel has a deep Ditch and a high Stone Wall (with Loop Holes) in many Places much cracked almost from Top to Bottom, and very wide.

NUM. 102.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

I should do great Injustice in not acknowledging how much I am indebted to the Officers and Troops of the Detachment, for the Steadiness they observed in the Action of the 20th, as well as the Readiness they shewed in assisting to surmount the Difficulties on the March.

Lieutenant Fireworker Baillie of the Artillery in particular I beg Leave to recommend to your Notice for the very great Attention he shewed in his particular Department.

Lutteefpoor,
25th September 1781.

I have the Honour to be, &c.
J. W. Crabb, Major 2d Brigade.

PART II.

NUM. 103.

Return of the Killed, Wounded, and Missing in the Attack of the Fort at Pateeta, the 20th of September 1781.

Corps.	Commanding Officers.	Killed.	Wounded.
Grenadier Corps,	Major Lane —	6 Sepoys	—
19th Regiment,	Major Balfour —	2 Ditto	5 Sepoys
30th Regiment,	Major Roberts —	2 Ditto	4 Ditto
35th Regiment,	Major Humphries —	1 Ditto	1 Ditto
Total		11	10

NUM. 104.

To Edward Wheler Esquire.

Sir,

On the 20th Major Crabb defeated and routed a Body of the Enemy on the Plain above the Pass of Suckroot; their Loss was 150 Men and 3 Guns, and much Ammunition: Ours small. The Rajah that Evening fled from Lutteefpoor: His Men followed his Example; and Yesterday at Noon Major Crabb took Possession, the Place being totally deserted. I was Yesterday in Major Popham's Camp, and visited the Fort of Pateeta and its Intrenchment. They are both contemptible, but in their actual State absolutely impregnable against an Attack, had they made any Resistance. The Fort, though small, is of Stone, with 4 Towers, a parallel Rampart, and Towers, and a Ditch of great Depth surrounding these, and the Town itself guarded by an Intrenchment extending far beyond it; and the Space between, Hills, Rocks, and Jungle almost impenetrable. At One o'Clock we had the Satisfaction to receive, by a regular Salute of 21 Guns, the instant Information of the Possession of Lutteefpoor by Major Crabb. I have taken upon me to grant a Brevet Commission of Major to Captain Lane, who commanded the Grenadiers of the Army, and performed distinguished Service. I this Instant receive an authentic Confirmation of the above Intelligence from Major Crabb.

I am, Sir, &c.

Chunargur, 22d September 1781.

Warren Hastings.

NUM. 105.

To Lieutenant Colonel Blair.

My dear Colonel,

It is with much Satisfaction that I now give you an Account of our Arrival at Lutteefpoor, after a most fatiguing March as ever Troops experienced, over Hills, Rocks, Rivers, and through Jungles. It does much Credit to the Abilities and Knowledge of Bundoo Khan, his being able to conduct us by such a Road without losing our Way. The only Circumstance is, that he has been deceived in the Length of the Cofes, each of which are at least 4 Miles. We yesterday were opposed at Lora Suckroot by a Body of the Rajah's Troops, something less than 2000 Men in Number, and Three Pieces of Ordnance, which we dispersed and took. Their Guns, Tumbrils, and Ammunition, for want of Means to bring with us, were destroyed. One small Gun and Limber we have now with us. The Quantity of Ammunition found in Lutteefpoor is considerable. The Place, in consequence of our Success Yesterday, was evacuated by the Rajah in the Evening. The People who did not attend him remained only to plunder his House, which they have done, and destroyed what was valuable, and of no Use to them. I do not believe there was one Man in the Fort when Major Crabb marched in. The Intention of our March, in the main Point, has, I hope, answered the Governor's Expectation—the expelling the Rajah from a Place of Strength, and preventing his taking Possession of the Ghauts leading to Bidjeygur. Under his present Alarm, it appears to me, that if Measures are speedily taken to invest that Place, little Resistance will be made. I was, during the whole March, under much Concern for the Success of the Expedition, as I considered myself partly answerable for the Consequences, though I had not the Command; and I shall be much pleased to find it has met with the Approbation of the Governor, who, I hope, will do me the Justice to believe I have done all in my Power to forward the Expedition. I have to request you will mention Bundoo Khan to the Governor. I am much fatigued, and have hurt my Foot a good deal by walking, otherwise in perfect Health. I will refer you to Bundoo Khan for the Particulars of our Expedition, till I have the Pleasure of seeing you.

Dear Colonel, &c.

Camp at Lutteefpoor,
21st September 1781, at Night.

Thomas Blair.

NUM. 106.

To Major James Crawford.

Sir,

If you have not already detached any Part of your Battalion to Patna, I desire that you will not, but keep your Corps entire, and station it near the Frontier of Bidjeegur; obeying such Orders as you shall receive from Major Popham, who will soon be in that Quarter. If you weaken your Corps, you will be exposed to an unequal Contest with Cheit Sing's whole Force, which will now be assembled there. I will be accountable to the General and to the Board for the Deviation from their Orders.

Chunar,
22d September 1781.

I am, Sir, &c.
Warren Hastings.

NUM. 107.

To Lieutenant Colonel Ahmuty.

Sir,

I have received your Three Letters. I have the highest Sense of the Zeal which you have shewn for the Service, in the Orders given for the Reinforcement of Major Crawford's Regiment, and of the Cavalry, and for their speedy Dispatch; and I beg you will accept my particular and most hearty Thanks for your personal Attention to myself. The Hircarrah to whom you promised a Reward of 1000 Rupees deserves as many Lashes; he accompanied Major Crawford, and was exactly Three Weeks on the Way. Major Popham took the Field on the 16th. The Forts of Pateeta and Lutteespoor are in our Possession, the Enemy routed, and the Rajah fled to Bidjeegur. I request that you will instantly remand the Detachment from Major James Crawford's Battalion, as he will be else in Danger from the Rajah's whole Force assembled in his Neighbourhood, and his Corps united will be essentially necessary for co-operating with Major Popham in the Reduction of Bidjeegur.

Chunar,
22d September 1781.

I am, Sir, &c.
Warren Hastings.

NUM. 108.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Sir,

The following Troops, Major Crabb's Regiment of Sepoys, Captain Thomas Blair's Battalion, Lieutenant Polhill's Corps, being Part of the Vizeer's Body Guard, in all about Seventeen Hundred Sepoys, Six Guns, Two Tumbrils, and One Howitz, being ordered on Detachment under the Command of Major Crabb, to attack the Fort of Lutteespoor from the Hills and Pass to the Eastward of it, we began our March from the Encampment in the Neighbourhood of Chunar about 10 o'Clock in the Evening of the 15th Instant; crossed the Jurgar Nullah, in which there was Three Feet Water; the Banks of that Part steep, which detained the Troops till past Eleven before the whole crossed. From thence the Detachment proceeded to Fool-wauree Ghaut, which is over the Hill. The Ascent over the Hill is not very steep, but the large Stones in the Way, and the Want of a sufficient Number of Bildars, retarded the Guns exceedingly. With the Assistance of the Officers and Sepoys, the whole of the Ordnance and Tumbrils were got to the Top of the Hill by Daylight. The Descent to the Plain is very little; for some Distance the Road level, small Villages at a Distance from each other, the Inhabitants of which fled, on our Approach, to the Hills. Passed the Village of Dowau on our left, which is about Two Cos from Chunar; some small Jungles and broken Ground. Proceeded on to Byrah, about One Cos. It is a small Village, with a little round Brick Tower on the Bank of the Goordowr River, where the Troops should have crossed; but on Examination finding it unfordable at that Part, turned to the Left through a Tope, and marched to Putpur Ghaut, the Road Part of the Way very bad; the Passage might be defended by a few Men against the whole Detachment. The Guns were obliged to be unlimbered, and the Tumbrils unloaded, to bring them over the River; the Rocks at the Bottom of it very large; from the East Side of it, thick Jungles for Two Miles. When the Troops came opposite to Byrah Village, the Distance round to cross at Putpur-Ghaut about Two Cos out of the direct Road. Encamped about Five o'Clock in the Afternoon at Bulleeah-Ghaut, below Sutteesgur Hills, on a Spot pretty clear of Jungle, distant from Chunar about Fourteen Miles.

17th September. At Daylight marched by the right; tolerable Road; a small Nullah now and then; no Villages to be seen for Two Cos—Ponillah-Ghaut; the Hill neither high nor difficult to ascend; a small Village to the right, named Nicarcaw; all the Way Jungle, not very thick; Distance Three Cos: Came upon the Plains, passed Koradee, which is Two Cos; marched to Cersee Village, which is about Two Cos, and encamped at 6 o'Clock in the Evening. Left Simraw, a large Village, on the right; the Country flat and well cultivated. From Bulleeah-Ghaut to Cersee is about Eight Cos.

PART II.

18th September. At Day-light crossed the Field, and entered the Borriah Jungle; several Nullahs and broken Ground; some small Villages; the Road bad till out of the Jungles; near to Borriah, where the Country is open and cultivated: At the Edge of the Jungle surprised Sobau Sing, a Relation to Cheit Sing; encamped for the Day: Distance from Cersee Two Cois.

19th September. Marched at Daylight; to avoid some Water and bad Ground went out of the direct Road Two Cois; encamped in the Afternoon in a clear Spot of Ground, at a small Village named Butt, Distance in a direct Road from Borriah about Three Cois. The Troops marched about Six Cois this Day. In the Evening saw several of the Enemy's Horsemen mounted as our Troopers; from my Hircarrahs received Intelligence of the Enemy being at Lora, with Three Guns and about 2000 Men.

20th September. Marched by the right; Two Guns in Front of the Body Guard, One in Front of the 7th Regiment, One Gun and One Howitz in the Center, One Gun in the Rear of it, One Gun in the Rear of the 1st Battalion 6th Regiment. The Enemy were drawn up on a Piece of Ground free from Jungle, but divided by some Ditches. The Cannonade commenced on their Side. The Detachment formed in their Front in the same Order as they marched: the Guns as they came up returned the Fire. Soon after the whole was formed, we advanced on the Enemy, who fired smartly from their Guns and small Arms, till the Line was within Twenty or Thirty Paces of their Guns, when they ran away. Their Guns were immediately taken. Three Companies of the Rajah's Sepoys, and some Matchlock Men, retreated behind a Tank opposite the Center of Captain Blair's Battalion, who opened and marched round Two Sides of it, and gave their Fire, which did great Execution, and totally dispersed the Enemy, who no longer made any Stand, but ran as fast as possible; the Troops pursued the Enemy some Way. Halted to collect the Dead and Wounded; the latter were provided with Pallankeens, Dooleys, &c. when we marched on to Suckroot, about One and Half Miles from the Field of Battle, and encamped for the Day. The Rajah's Troops were commanded by Myher, the Commandant of his Sepoys, and Sewpurfaud Sing. The former rode to Lutteefpoor in great Haste, threw himself at his Master's Feet, and entreated him to make his Escape immediately; that a very large Force, with Artillery, was close in his Rear, and would inevitably take him alive. He at the same Time accused the Rajah of having deceived him, or being so himself, respecting the English Force which he went against. It appears the Rajah's People had no certain Information of the Destination of the Detachment prior to its Arrival at Koradee, or of its Strength till the Engagement commenced. Their Hircarrahs seeing the advanced Guard followed by Two Guns, concluded it was the whole Force, and the Followers of the Camp were taken for some of Owsan Sing's People, whose Head the Rajah had ordered to be brought to him, and the others to be killed and left, as if of no Consequence. The Rajah received the melancholy Account of the Defeat of his Troops before Noon, and evacuated the Fort before Three. He was followed by Numbers; some continued all Night to plunder, and left the Place the next Morning.

21st September. Major Crabb marched with his Regiment, Three Guns, and the Howitz, at Four o'Clock; at Six o'Clock Captain Blair's Battalion, Lieutenant Polhill's Corps, with the remaining Guns, Tumbrils, &c. followed; the Road good till we came to Tarrapatill, where there are large Stones and broken Ground, from thence the Road very good through Trees, till we come to Supdur-Ghaut, which, from the Slope and large Stones, is exceedingly difficult for Guns to pass. Came to a small Village of about Ten Huts; crossed the Gurriah Nullah; no Water in it. The Road to the Fort through Bamboos and other thick Jungles. Arrived at Lutteefpoor. The Gate being open, and the Place evacuated, Major Crabb took Possession of it about Ten o'Clock. The Remainder of the Detachment arrived soon after, when Two of our Guns were brought into the Fort, and light Cartridges taken out of the Rajah's Magazine, a royal Salute was fired, and the Union Flag hoisted on the highest Part of the Works. Three Guns were fired on the Hill which overlooks the Fort, and had been placed there to prevent an Enemy from possessing themselves of a Spot which gives them every Advantage over the Fort, which is commanded from it. Several Pieces of Ordnance, and a very considerable Quantity of Powder and Ammunition ready made up, were found in the Place.

I shall be glad if the foregoing Account of our March is sufficiently correct to convey a general Idea of the Roads, Rivers, and Passes. The Distances are right, so far as I am able to judge without having measured them. Troops marching by that Route without Guns would find the Distances probably less than I have made them, as we were frequently obliged to leave the direct Road to avoid Stones, broken Ground, and other Impediments to Artillery.

Lutteefpoor,
29th September 1781.

I have the Honour to be, &c.
Thomas Blair.

• NUM. 109.

GENERAL ORDERS.

The Governor General having himself had an Opportunity of surveying the Fort and Intrenchments of Pateeta, desires to publish to the Army the Sense which he entertains of the great Zeal and Abilities of Major Popham, in planning so difficult an Attack; and of the great good Conduct of Majors Roberts and Gardiner, and of the Officers of the Detachment, for their Assistance in the Execution of it. The Governor General expresses his particular Satisfaction at the firm and intrepid Behaviour of the Grenadiers under the Command of Captain Lane; to whose gallant Example, followed and supported by the steady Courage and Discipline of the rest of the Troops, it may principally be attributed that a Place of such great Strength has been reduced, and almost without Loss.

The Governor General, in Testimony of the Merit and Conduct of Captain Lane, promotes him to the Rank of Major by Brevet.

Chunargur, 22d September 1781.

NUM. 110.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

It is with reflective Satisfaction I acquaint you that our Endeavours to reduce this Place, and disperse the Army of the Rajah Cheit Sing, have been attended with complete Success.

My Intention was to have assaulted the Town on my Arrival before it the 16th Instant; but I had certain Intelligence that a considerable Body of the Enemy, with some Cannon, were within the Place, strongly intrenched. I judged it proper to encamp till I could gain proper Information of the Strength of the Works, more especially as great Part of the Artillery and one Regiment were far in the Rear, and not likely to reach me till late in the Day. About two Hours after the Camp was pitched, the Enemy began a Cannonade from the Town, which obliged us to file off to the left, out of the Range of their Shot. This done, we received no further Molestation during the Day. In the Course of the Night I meditated an Attack with the whole Line on their Works; but my Hircarrahs brought Accounts that the Town was defended by a deep Trench and high Parapet, flanked with Towers, on which there were Guns mounted, and the Jungle behind very thick, with a Number of Troops; which obliged me to lay aside hazarding such an Undertaking till better acquainted with the Place. I now gave Orders for a Battery, and Major Gardiner fixed on a Spot about a thousand Yards from the Works; but soon after, on a nearer Observation, he judged proper to take Possession of a Tank, the Banks of which would prove an excellent Shelter for the Troops, and effectually command the S. E. Face of the Town, distant between Eight and Nine hundred Yards. This Post being gained with little Opposition, a Battery was formed, and the Eighteen pounders carried down. On the 19th a short Cannonade was began, which continued at Intervals during the Day; some Shells were also thrown; however, it was impossible we could know what Execution was done, as the Thickness of the Jungles obstructed the View; yet it being observed that our Fire obliged the Enemy for the most part to quit their Intrenchments and retire further into the Woods, it was judged by Major Gardiner and myself, that an early Assault next Morning, just before the Dawn of Day, might be attended with immediate Success, and though not complete, would gain us a Lodgement within the Works, from whence the Fort might with Ease be battered.

This being determined, and Captain Lane's Corps of Grenadiers already at the Battery, at Ten o'Clock at Night the following Orders were issued:

“ The native Grenadiers of the Line, with the 1st Battalion of the 19th, 2d Battalions of the 30th and 35th Regiments, to assemble at the Southermost Battery at Twelve o'Clock To-night:
 “ Major Roberts to command this Detachment, and regulate it as he shall judge necessary for the
 “ Attack of the Town a little before Break of Day To-morrow Morning: The remaining Corps
 “ of the Line to close the Center (leaving their Quarter and Rear Guards standing) as soon as
 “ the above Detachment marches off, and there lay on their Arms. The Piquetts of the Battalion
 “ ordered for the Attack, to be relieved immediately by the remaining Battalions. Major Balfour
 “ to relieve Major Roberts immediately, and Major Roberts to wait on the Commanding Officer
 “ for his further Instructions.”

Major Roberts, agreeable to Orders, began the Attack just before the first Dawn; at the same Time a heavy Fire was kept up by Captain Hill, from Major Gardiner's Southermost Battery, which secured the Jungles to the left of the Attack, and added to that Panic which seized the Enemy immediately on the Entrance of the Grenadiers, who, with the rest of the Troops, rushed on, and soon made the Victory complete.

While those successful Approaches were making on the Town, a Party of the Enemy sallied from behind the Hill in the Rear of the Battery with Two small Guns, in Hopes that by employing our Attention that Way, the Assault on the Town would be disturbed; but they were soon routed by the cool Intrepidity of a Serjeant and One Company of Sepoys. Foiled here, they moved

PART II.

moved round the Hills till they came round the left of our Encampment, where they seemed to meditate an Attack. On their Motions being observed, the European Grenadiers and Light Infantry were ordered, if possible, to throw themselves in the Rear and cut them off. This Measure was too soon noticed by the Enemy, who immediately run away in great Confusion.

By this Time Major Roberts had driven the Enemy from the Town and every Post, so that they had now nothing left but to move with their Baggage and Cannon without the Place towards Ramnagur; which they effected as to the first Object; but the only Piece of Ordnance they had saved from the Town, was taken by Lieutenant Hamilton, who had Advice, and was long in Pursuit of it; for they had the Folly to fire it from a Distance at the Line as they were gaining the Ramnagur Road, which led Lieutenant Hamilton to it.

Had Almaus's Cavalry obeyed Orders, the Enemy's Baggage must have also been taken; but not a Man of them would move 500 Yards from the Camp.

The Returns of the Killed and Wounded on our Side, with those of the Cannon, &c. taken, will shew how fortunate we were on this Service; during which the Behaviour of both Officers and Men was such as merits the most sincere Acknowledgments.

Majors Roberts and Gardiner, Captains Lane and Hill, were particularly active, and I feel a real Pleasure in doing them the Justice to recommend them to your particular Attention.

Camp at Pateeta,
22d September 1781.

I am, &c.

W. Popham, Major.

NUM. III.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Honourable Sir,

Enclosed I have the Pleasure to transmit a Copy of a Letter I have received from Captain Maxwell, commanding the Battalion at Burragong, with which he has sent me Copies of the Letters written by Baun Sing Roy and Shew Pershaud Roy, to Futteh Saw. These contain ample Proofs of their Guilt; one of them is a direct Information to him of the March of the Troops from Burragong, and an Invitation to avail himself of the defenceless State of Hussypoor, by coming to that District.

I have, in consequence of these undoubted Testimonies, written Captain Maxwell to seize the Persons of Baun Sing Roy and Shew Pershaud Roy, and keep them in close Confinement.

I have not complied with Captain Maxwell's Proposal for disarming the Country People, as such a Measure could not be put in Execution without causing a general Alarm throughout the District, and greatly obstructing the Cultivation; besides which, as no Crime is alledged against any other Person, I conceive there is no Necessity for acting with so much Rigour which would involve the Innocent with the Guilty, and still leave it doubtful on whom Punishment ought to be inflicted. Though I have deemed it improper to authorise Captain Maxwell to disarm the People, in which I hope for your Approval, I have recommended to him to use every Endeavour to discover if any other Persons, and who, were concerned with Baun Sing Roy and Shew Pershaud Roy, in their villainous Attempts.

The Punishment of Futteh Saw's Abettors, within the District of Hussypoor, will doubtless be productive of good Consequences, by awing those who are secretly attached to him; but it is in vain to expect his Apprehension whilst he receives Protection in a neighbouring Country. I am well informed, that he is now in the Dominions of Rajah Cheit Sing, and that he has been there ever since he was driven out of Hussypoor by Lieutenant Hutchinson, in the Month of February last.

Chuprah,
19th August 1781.

I have the Honour to be, &c.

Charles Græme.

To Charles Græme Esquire.

Sir,

In consequence of your polite Attention to my Representation, respecting the Treachery and traitorous Correspondence of Baun Sing Roy and Shew Pershaud Roy with our declared Enemy Rajah Futteh Saw; of their having given him the most perfect Intelligence of every Movement or Step taken to entrap him from this Station; of their having supplied him with Money, and your turning them out of every Employment, I was further induced to attempt the obtaining the clearest Proof of their Guilt, as I could not deem the Punishment already inflicted on them (although the most in your Power) by any means adequate to their Crimes.

Some Time ago, when I had the Honour of mentioning this Subject, and acquainted you with the Hopes I had of obtaining the original Letters from those Men to Rajah Futteh Saw, you was pleased to express your Satisfaction thereat, and offered your Assistance, if this could be effected, of laying the whole before the Honourable the Governor General and Council for their Decision. I have now the Pleasure to acquaint you, that the Enclosed are exact Copies of the original Letters, attested upon Oath, at this Time in my Possession. Should further Proof of their Guilt be deemed necessary, I can take upon me to promise, that the Man employed in carrying Money from Baun Sing Roy to Rajah Futteh Saw shall be produced.

I must

I must further beg Leave to lay before you, that while the Country People, so entirely attached to the Interests of Rajah Futteh Saw, are permitted to keep Possession of Quantities of Arms, which I have the most certain Information is the Case, he can never be at any Loss for an armed Force to enter and plunder the Country with. For this Reason I would humbly propose my being authorised to disarm every Man in the Country, as the only Destruction to his Hopes, and Means of fulfilling the Intentions of the Honourable Board, in his present Situation, protected and countenanced as he is by Rajah Chett Sing in his Country, where he now watches for the first favourable Opportunity of returning to his old Practices.

I have to request you will be so obliging as to lay these Circumstances before the Board, accompanied by this Letter; but should that prove inconvenient, that you will be pleased to acquaint me so, and I will then do it myself through the Commander in Chief.

I have the Honour to be, &c.

Burragong,
17th August 1781.

Robert Maxwell,
Captain commanding at Burragong.

NUM. 112.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

Bundoo Khan, who conducted me through the Hills, has requested from me a Certificate of his Conduct; I do myself the Honour to recommend him to your Notice, as a Person whom I have every Reason to believe well affected to Government.

I have the Honour to subscribe myself, with Respect,

Lutteeppoor,
21st September 1781.

Honourable Sir, &c.
J. W. Crabb, Major.

NUM. 113.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

I had the Honour to address you Yesterday from Lora, and I now advise you of my having this Morning taken Possession of the Fort of Lutteeppoor, the Rajah having evacuated it Yesterday Afternoon, and pushed across the Hills to Bidjeygur with most Part of his Followers; those remaining, amounting to about Seven or Eight hundred, followed his Example. At my Approach I found one of the French Soldiers, who informs me, the rest were inhumanly massacred about the 4th Instant; that he received a Wound and pretended to be dead, until the barbarous Rascals had quitted the Place, and then he crawled out to the Hills, where he lay concealed for several Days. It was unfortunate for me the Rajah escaped; but the many Difficulties I had to encounter rendered it impossible to reach this earlier. The Roads, from their Badness, have shaken all my Gun Carriages so much, that it is necessary for them to be taken to Pieces, and have a thorough Repair, before they can leave this. I have given the necessary Orders respecting it. I found here Four Guns of different Calibres. There appear to be a good many Stores; Particulars of them shall be taken, and forwarded with all Expedition. I have also found a Cohorn here, which was I believe taken from Mirzapoor; it seems in good Order. Your Letter of the 17th is just arrived, brought by the Bearer. Bundoo Khan has behaved much to my Satisfaction in conducting the Detachment. He was mistaken respecting the Distance, as also the Situation of this Place from the Pass mentioned; but I beg leave to recommend him to your Notice. I hope the Roads will be opened between this and Chunargur.

Lutteeppoor,
21st September 1781.

I have the Honour to be, &c.
J. W. Crabb.

NUM. 114.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

I had the Honour to inform you of the Evacuation of this Place, and my taking Possession the Morning of the 21st. At that Time I could only find four Guns, but since have discovered Five more, together with a large Quantity of Stores and Ammunition; every House almost produces Stores, or Materials for making them. I have the Honour to present you enclosed a Return of the Killed and Wounded of my Detachment, on the Morning of the 20th, near Lora, in an Action with a Party of the Rajah's Troops, to the Number of about 2000 of all Sorts, with their Guns. Their Loss amounted in Killed and Wounded to near 200. The Guns fell into my Hands, together with the Stores attached to them, which for want of Carriage I was necessitated to destroy, having rendered useless and buried them.

Yesterday Morning I received Orders from Major Popham to send the 1st Battalion of the 6th Regiment and the Vizeer's Body Guard to join him at Pateeta, and remain here with my Regiment, the Four Guns and Howitz, till further Orders.

I have

PART II.

I have great Satisfaction in informing you, that Half an Hour ago Contoo Bauboo and Mr. Barnet applied for and received Admission into the Fort, having Yesterday Morning been dismissed from Bidjeygur by the Rajah. These Two Gentlemen are, from Fatigue of Travelling, and Joy at their Escape, incapable of proceeding further before To-morrow, when I shall give them all the Assistance in my Power towards forwarding them to Chunar.

The accompanying Letters were found in an old House Yesterday.

The Difficulties the Detachment has experienced on the March from Chunar to this Place, were such as induced me to form a Narrative, which I shall beg Leave to offer for your Perusal in Two or Three Days Time. I have the Honour to be, &c.

Lutteespoor,
23d September 1781.

J. W. Crabb,
Major commanding a Detachment.

NUM. 115.

Return of the Killed, Wounded, and Missing, of the Detachment, commanded by Major Crabb, in the Action of the 20th of September 1781.

					Subadars.	Jemmadars.	Havildars.	Naicks.	Sepoys.
1st Battalion, 6th Regiment	{	Killed	—	—	—	—	—	—	3
		Wounded	—	—	1	1	1	—	6
		Missing	—	—	—	—	—	—	1
7th Regiment.	1st Battalion	Killed	—	—	—	—	—	—	2
		Wounded	—	—	—	—	—	—	5
		Missing	—	—	—	—	—	—	—
	2d Battalion	Killed	—	—	—	—	—	—	1
		Wounded	—	—	—	—	—	—	7
		Missing	—	—	—	—	—	—	—
Vizeer's Body Guard	{	Killed	—	—	—	—	—	—	1
		Wounded	—	—	—	—	—	—	—
		Missing	—	—	—	—	—	—	—

Artillery—1 Lashcar killed, 1 wounded; 1 Bullock Driver, and 2 Bullocks, killed.
N. B. One Beatty killed.

A B S T R A C T.

				Subadars.	Jemmadars.	Havildars.	Naicks.	Sepoys.	Lashcars.	Bullock Drivers.	Beatties.
Killed	—	—	—	—	—	—	—	7	1	1	1
Wounded	—	—	—	1	1	1	—	18	1	1	—
Missing	—	—	—	—	—	—	—	1	—	—	—

NUM. 116.

" To the Honourable Warren Hastings Esquire.

Honourable Sir,

At the Desire of the Rannee, who represented Cheit Sing's People having entirely deserted Banaris, and which was confirmed by my own Intelligence, I have sent an Officer with a Company of Sepoys along with some People of hers to proclaim the Restoration of her Authority, and give Confidence to those who are well inclined to our Government; as also to take charge of the Gentlemen's Effects, the greatest Part of which I understand to be still there. The Officer is also particularly instructed to assist the Rannee's People in apprehending the Aumeen Dyaram, who it is said is still lurking in the Town. Though this Step exceeds my Orders, I flatter myself it will meet with your Approbation, as the delaying it till I could have received your Orders might have proved fatal to the Tranquillity of the Town, which seemed to require the immediate Appearance of some Person on the Part of Government. The Inhabitants of this Place are returning fast, and the Rannee acquaints me, that the People whose Names I trouble you with in the enclosed List, have all sent Offers to her of coming in immediately; and she requests me to beg you will be pleased to let her know whom you would chuse her to receive, as she will not venture to give any of them Assurances of her Protection without your previous Approbation. I request to be favoured with your Commands on this Head, and will now only take the Liberty of adding, that I think the People in general seem to be sensible of their Error, and that the Tranquillity of the Country may soon be restored.

Rannagur,

23d September 1781.

I have the Honour to be, &c.

A. Balfour.

P. S. There are many Things found here which I suppose belong to the Gentlemen with you, but I cannot ascertain exactly to whom; I shall collect them all in the Fort, and take care of them till they can be claimed.

NUM. 117.

GENERAL ORDERS.

The Governor General returns his Thanks to Major Crabb, for the Spirit and good Conduct with which he has executed the Service committed to his Charge, and expresses his entire Approbation of the Behaviour of the Officers and Troops under Major Crabb's Command.

Chunargur, September 24th 1781.



[NUM. 118.

Translation from the Persian of a Proclamation issued by the Governor General the 25th of September 1781.

Be it known to the Zemeedars, Aumils, Reyots, and all the Inhabitants of the Zemeedary of Banaris, &c. That whereas Rajah Cheit Sing, by many Acts of Rebellion and Perfidy, and the Murder of a Number of English Officers, Sepoys, and other Dependants of the Government of the Company, who were unarmed, has totally forfeited his Right to the Zemeedary of Banaris, &c. and become amenable to the Justice of the Company; it is therefore made known and proclaimed, that Cheit Sing, and his Brother Soojaun Sing, and their Dependants, have, from this Period, no further Right or Interest in the Zemeedary of the said Province; and all the Zemeedars and Reyots are required to withhold their Obedience and Submission from him, otherwise they will be punished accordingly.—And whereas, by the Sedition of Cheit Sing, the Country has fallen into Confusion and Alarms, Assurances of Protection are hereby given to the Zemeedars, and other Inhabitants of this Country; and they are hereby invited to repair to their former Places of Residence, and resume their usual Occupations in perfect Security: And, lest any should entertain Apprehensions on account of their Misdemeanors, it is declared, that the past Offences of all the Inhabitants of this Country who shall conform to this Order, are pardoned: And further, every Zemeedar and Aumil who shall, within the Space of One Month, repair to the Presence of the Governor General, or to Major William Popham, Commander of the Forces in the Field, and make their Submission, shall be pardoned; and such as, on account of the Distance of the Road, or any other valid Reason, cannot attend in Person, must send their Vakeels for this Purpose with proper Credentials. But be it known that the Persons of Cheit Sing and his Brother Soojaun Sing are excepted from this Pardon; and the Town of Gopeegunge, the Inhabitants of which have been particularly active in this Rebellion, and have committed many Acts of Sedition and even Bloodshed on many of the Dependants of this Government, shall be destroyed, and the Inhabitants thereof punished, on a due Enquiry into their Crimes—Such Persons as, availing themselves of these Troubles, shall have plundered and oppressed the Inhabitants of the City of Banaris, and such as shall have committed Murder on peaceable Passengers, shall be rendered accountable for the same in the due Course of Justice.]



PART II.

NUM. 119.

To Major Crabb.

Sir,

I duly received your Letter, informing me of the Success of your Expedition; and return you my warmest Thanks for the Spirit and Judgment which you exerted in the Conduct of it.

Captain Blair and Bundoo Khan have given me a minute Detail of the Difficulties and Fatigues which you encountered in your March; and I am truly sensible of the Zeal and Perseverance which you have shewn in surmounting them.

The Defeat of the Rajah's Troops at Lora, besides the immediate Consequence of the Evacuation of Lutteefpoor, is likely to be productive of the good Effect of speedily terminating the Disturbances occasioned by the Defection of the Rajah Cheit Sing.

Be assured that I shall always retain a proper Sense of, and desire to acknowledge, the Service you have performed.

Chunar, gur,
25th September 1781.

I am, Sir, &c.

Warren Hastings.

NUM. 120.

To Colonel Morgan.

Sir,

In my Letter to you, dated the 24th Instant, I acquainted you, that as the Nabob expected his Return to his Capital would put a Stop to the Disturbances which have lately arisen in his Country, it was unnecessary for you to proceed to Lucknow with your Brigade, as I at first directed. From a subsequent Conversation with the Minister, I find there is a Probability that the Nabob may be deceived in his Expectations, and still require your Assistance; I have therefore directed Mr. Middleton, on the Nabob's Application to him in Writing for that Purpose, to apply to you for the Aid of such a Force as the Nabob may require; which I request you will be pleased to furnish on Mr. Middleton's Requisition.

Ramnagar,
27th September 1781.

I am, Sir, &c.

Warren Hastings.

NUM. 121.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

I was honoured last Night with your Letters of the 24th Instant; and beg leave to assure you, it is the Summit of my Ambition to merit your Approbation of my Conduct; and the Compliment you paid the Troops which I sent you heightened my Satisfaction with additional Pleasure. In consequence of your Letter of the 19th, desiring me to halt at this Place, I immediately ordered that Part of my Brigade that had crossed over the Joosy, to recross; but in order to lose no Time, I shall directly march towards Lucknow, and agreeable to your Directions shall direct Colonel Sir John Cumming to cross immediately at Khaunpoor, and proceed to Lucknow with Two Regiments and Four Guns, and to comply with such Requisitions as the Nabob or the Resident make to him for Assistance to establish Tranquillity in his Excellency's Dominions. But I have the Pleasure to inform you, that I learn, both by Letters written by Gentlemen at Lucknow, and from my Intelligence Writer there, that the Commotions have subsided, and they entertained no Alarm but from the Situation of Chunar; and I am ready to conclude, that the Brigade's halting here operated in some measure to produce that good Effect; and I am now concerned I sent to you that Extract from Mr. Blane's Letter, as I apprehend it was written without a right Consideration of Circumstances, and caused you some unnecessary Alarm. Captain Law will cross the River To-morrow Morning with all the Cavalry fit to serve on active Service, and I have given him Instructions to use all Expedition on his Way down to Chunar. I shall march on this Side the Water up to Khaunpoor. I will write to Mr. Middleton to let me know if the Assistance of my Troops is wanted, and shall be prepared to afford him any Aid, either with my whole Force or any Part of it, should the Detachment with Colonel Sir John Cumming not prove sufficient for quelling any Disturbances in the Nabob's Country; but in the present State of the Country I make no doubt of Colonel Cumming's Force being enough. As the Exigence of Affairs does not seem now to be pressing, I have left it to Colonel Cumming's Option, either to proceed with the Detachment, or to go and command at the Station of Futteh Ghur with the Two Regiments he has left there, till further Orders from me.

I have the Honour to be, &c.

J. Morgan.

Camp near Illahabad,
27th September 1781.

● NUM. 122.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

I have the Honour to enclose a Copy of a Second Letter received from Major Lucas, since the Action of the 17th with Futteh Saw; by which you will see that he narrowly escaped being taken Prisoner. Wishing to reduce as soon as possible the increased Expence attending the keeping in Pay the Body of Burkandazes raised for the Defence of these Districts, I had written to Govindram Misser to send them in here to receive the Arrears that were due to them; but previous to the Receipt of my Letter, a Plan for attacking Futteh Saw's Intrenchments had been formed. They accompanied the Battalion, and did not disappoint the general Expectation of their being serviceable on the Occasion; for they distinguished themselves greatly. I received this Morning another Letter from Major Lucas, wherein he says, "Don't determine any Thing about the Peons till you hear from me again; there is something in Agitation that may require their further Services." In consequence of this I have resolved not to recal them immediately, and hope you will approve of it.

I have the Honour to be, &c.

Charles Græme.

Chuprah,
21st October 1781.

NUM. 123.

To Mr. Charles Græme.

Dear Sir,

I have been favoured with your's of the 16th. By this, Chuprah must be relieved from their Fears of Futteh Saw, who I now find has got a most complete Drubbing, and had a very narrow Escape himself; for, contrary to Custom, he was in his Trenches, but walked off on seeing us advance so firmly. When he arrived on the Banks of the Jerry, he mounted a favourite Horse, who was alarmed at the Fire, and had nearly thrown his Master into the River, who was obliged to dismount, and get upon an Elephant, and had just got clear, with about Twenty or Thirty Favourites, when my Grenadiers and some of Durjoo Sing's People arrived at the River, whose Depth or Rapidity did not prevent their following immediately; and had they known the short Distance the Rajah had got in proper Time, it is more than probable he would have fallen into our Hands. His Loss in killed and wounded, from every Account, seems to be nearly 300. Most of his principal Men fell in the Trenches; Sittabarie, and a Commandant formerly in the Nedjeeb Battalion, said to be sent here by Cheit Sing, and his Colours taken, besides several others whose Names I do not recollect. From the Number of Matchlocks, Tulwars, &c. &c. picked up by our Followers in the Jungles about and in the River (which is confirmed by some Fakeers who stood on the Banks), many of them must have perished therein, as it was barely fordable in a particular Spot, and very rapid. It is supposed he had 3000 Men in the Trenches, and that he has not been able yet to collect 300; so that his Overthrow must, I hope, be now completed. The Lines we attacked must not be deemed common temporary Intrenchments; the Rampart at the Bastion was about 14 Feet high from the Outside; and it is very evident the whole was intended as a Fort, which in a little Time would have proved very troublesome. His Headmen often urged a Night Attack, which we expected for some Time, and have not been able to strip since we left Suvar, so that it became absolutely necessary to disturb this troublesome Neighbour, which I had determined should take place on the Arrival of the Gun. Enclosed is a small Sketch; I had proceeded with my Battalion to *d. d.* where we received a severe Fire, which neither the Gun nor Platoons could slacken. Here I was joined by the Aumil, who pointed out the Ford *j.*, on which I formed the Plan of attacking the Bastion with the Gun and Durjoo Sing, while Captain Bruce advanced with his Battalion through the Jungle; so that the Trenches were stormed at each End with equal Success, and at the same Instant. Poverty seemed to reign among them, for I saw nothing but a few temporary Huts; and nothing worth mentioning has been picked up.

To-morrow I march about 5 Cos N. E. to a suspected Place, and hope to be enabled to return to Burragong in a few Days. The Aumil has behaved very well on every Occasion.

I hope you are truly sensible of the essential Service performed by the Burkandazes, who have suffered exceedingly, and hope they may receive some Mark of Favour.

Hircarrahs are sent to all Quarters; no Intelligence of the Enemy as yet, nor do I suppose they will be easily found.

I find our Sepoys have not suffered as much as I expected; only Twenty wounded, One since dead, and Two or Three in Danger.

Camp Hussypoor,
18th October 1781.Your's, &c.
Richard Lucas.

PART II.

NUM. 124.

Translation of a Letter found in Lutteefpoor the 6th of October, and forwarded to the Governor General by Captain Thomas Blair.

On Thursday, after my Arrival at Banaris from Buxar, I went to Shewallah-Ghaut with a View of representing to you several Circumstances which I had learned concerning the opposite Party; but as they had got in before me, I was deprived of an Opportunity of seeing you. I was present at the Place where your Friends and People were sitting, and where they assembled together; and when you went into the Boat, notwithstanding it was my earnest Desire to have accompanied you, yet I had no Opportunity of doing it. The ensuing Day, the Passage of Boats to and fro was entirely obstructed, and I was afraid to send you Intelligence from this Place, lest the Letter should have fallen into the Hands of the Enemy. They remained afterwards Four Days at this Place with a few Men, and if you had then attempted to retaliate on them, you would certainly have taken Two Pigeons in One Trap; but as all your Actions are accompanied with good Fortune, there is no Doubt but the Enemy will be soon overcome. For Two Days the Hircarrahs of the opposite Party came to my House to make Enquiries; but, by the Blessing of God, no ill Consequence ensued. Now that you have taken this heavy Burthen upon yourself, you must trust entirely in God, and shew, on all Occasions, the utmost Fortitude. The Alliance of several Chiefs, at a Time like this, is very necessary, and may be easily accomplished; yet you must avoid forming any Connection with a Chief of such Consequence as may afterwards himself attempt an Interference in your Affairs. Whatever Orders you give, must proceed from your own Deliberation. I am at present perfectly idle here, and I am very solicitous of an Interview with you, that I may in Person communicate to you my Opinions on several Points which have occurred to me. By a Letter from Bulwunt Row, I understand that you wish me to inform myself concerning the Arrival of Hyder Beg, and to write you on the Subject.

I will assuredly make every necessary Enquiry, both about Hyder Beg and the Nabob Asfod Dowlah, and communicate to you the Result. I have already sent confidential Persons to both, and whatever I may in consequence learn, shall be communicated to you hereafter. Meanwhile the Matter is briefly this: You must never entertain Hopes of the Attachment of Hyder Beg; his whole Strength and Power depend on the opposite Party; yet it is proper you should attempt to conciliate the Favour of the Vizeer, by telling him, that you are desirous of representing several Circumstances to him; that you wish to persuade him to detach himself from the opposite Party, and to resume his former Authority over you. Without knowing your Sentiments on this Subject, it is not in my Power to act so of myself.

It is however at all Events advisable, that if the Vizeer should entirely embrace the other Party, you should nevertheless wait upon him personally, and represent to him whatever you may deem advisable. I beg you will believe me to be in every Respect firmly attached to you. Major Hannay with One Battalion has left Gooruckpoor, and Letters have been sent to Khaunpoor for Troops from thence; you should therefore retaliate on them as soon as possible. If Hyder Beg, without your Consent, should attempt to join the opposite Party, it is proper you should station a suitable Force on this Side of the Fort of Chunar, to prevent his crossing the River. Yesterday Rajah Gobind Ram and Lalla Bucheraje went and had an Interview with Hyder Beg. What more shall I say? The Object of Hyder Beg is certainly to manifest his Attachment to the opposite Party.

NUM. 125.

To Edward Wheler, Esquire.

Sir,

My Continuance in this Quarter, and the Events which have happened, have given me an Opportunity of becoming acquainted with the Situation of the Troops beyond the Provinces; and I am concerned to say, that in their Equipment they are extremely defective, particularly in small Arms and Accoutrements; the last Supplies sent from Fort William to Chunar are entirely expended; the Indents from the Board upon the Magazine there having exceeded the whole Quantity originally supplied. Major Popham's Detachment is indeed amply furnished; but those under Colonels Cumming and Muir are very deficient. I have not been informed of the Condition of Colonel Morgan's Brigade, but am afraid it is not much superior to that of the others.

I cannot ascertain the precise Quantity of Arms and Artillery which may be required, nor is it material; but the Necessity of having in Store at Chunar such a Supply as may be equal to the Demands of any probable Service on this Side of the Caramnassa is evident, and the immediate Want of them is pressing: I therefore earnestly intreat your immediate Orders for transporting such a Proportion of small Arms and Accoutrements, and of Field Artillery, 12 and 6 Pounders, as may be adapted to this Service, and can be spared from Fort William and the Provinces, by Water, before the Swelling of the River subsides.

Banaris,

7th October 1781.

I have the Honour to be, &c.

Warren Hastings.

Num. 126.

To the Honourable Warren Hastings Esquire, Governor General, &c.

Sir,

I was only Yesterday favoured by the Receipt of your Letter of the 3d Instant. I have for some Days past been collecting the Papers which have been thrown out in the Streets and Houses in this Place.

I have the Pleasure to assure you, that the Trouble I have taken to collect the Reyots of the Pergunnahs of Lutteefpoor and Pateeta has been attended with Success. In most of the Villages I have distributed small Flags, and given them Beetle and a Hircarra, and to some a Sepoy to protect and encourage them. The Reyots are again employed in their Fields; but few or none of the Zemeedars or Aumils have yet come in. I expect the late Rain which we have had will, with the favourable Report of the Reyots, induce them to return to their former Habitations. You may be assured, that nothing shall be wanting on my Part to protect and encourage them. The Aumils of Lutteefpoor and Pateeta shall have every Assistance which I can possibly give them. In the Jungles a little Distance from this, I have discovered a small fortified Place, in which, it appears to me, the Europeans were put to Death: Some of their Hats, Shoe-brushes, and Pieces of their Coats, were found in it. I have not been able to discover any Remains of their Bodies.

I send you Shujah ud Dowlah's Agreement with the Rajah, which was found Yesterday. I am collecting all the Papers into One Room. Two Moonshees, who take Bauboo Owsan Sing's Name, came to take all the Papers with them. As they had no Letter with them, I desired they would get a proper Authority for taking Possession of them, before I could deliver them: I shall be glad to be favoured with your Directions respecting them.

Lutteefpoor,
8th October 1781.

I have the Honour to be, &c.

Thomas Blair.

Num. 127.

To Edward Wheler, Esquire.

Sir,

I beg Leave to introduce, through you, to the Notice of the Board, an Instance of Zeal and Attachment to our Government, which, from the peculiar Circumstances under which it was exhibited, merits both a Place in our Records, and a public and warm Acknowledgement.

It will be remembered, that a principal Object of my Journey to these Provinces was to obtain and facilitate an Interview at Banaris with Dewaugur Pundit, the Minister of Rajah Moodajee Booslah, for the Purpose of effecting a final Adjustment of the political Concerns of our Government, and that of Berar. The Death of Dewaugur Pundit, the News of which reached me Two Days before my Arrival at Banaris, and which I regret with the most sensible Concern, disappointed all the Hopes which I had conceived of forming by his Means a solid and lasting Alliance with the Court of Berar.

I was attended in my Journey from Calcutta by Beneram Pundit, the Vakeel of Moodajee Booslah, with his Brother Bissumber Pundit. The Vakeel, during his long Residence with me in that Capacity, had given me constant Proofs of a sincere Disposition to promote the Interests of our Government, whilst he exerted himself to advance those of his Master.

When I retreated from Banaris, Beneram Pundit and his Brother, on the first Intelligence of my Departure, followed, and, unattended by a single Servant, joined me in the March, resisting all my Intreaties, and even Injunctions, to return to Banaris, where their whole Family resided, and where they might have remained in perfect Ease and Security.

On my Arrival at Chunar I found myself in great and irremediable Distress for want of Money. The Troops were some Four, and others Five Months in Arrears, and as Cheit Sing had the Country on all Sides at his Devotion, I had not the smallest Prospect of obtaining Supplies, until the Motion of our Troops from different Quarters should open a Communication. It was with Difficulty that I found Means to raise so small a Sum as 2500 Rupees, to distribute among the Sepoys for their pressing Necessities. I must add, though foreign from my immediate Subject, that the Sepoys bore their Distresses without expressing the least Impatience under them.

Being accustomed, from my Experience of the Interest which Beneram Pundit had always taken in the Success of our Affairs, and as a kind of Acknowledgment of it, to treat him with a greater Freedom of Communication than other Persons in his Situation, I occasionally mentioned to him, without any Expectation or Thought of obtaining any Relief from him, the Difficulties under which I laboured for the Want of present Subsistence. He instantly, and with some Eagerness, replied, That his Family at Banaris were in Possession of a Lack of Rupees, collected in Specie, of which he made me the instant Offer, proposing that a Battalion of Sepoys should be sent to bring it away; his Brother at the same Time offering to accompany the Escort, and to deliver the Money. I thankfully accepted the Offer, and should have adopted the Mode they recommended for bringing away the Money, had I not been fearful of exposing their Family

PART II.

Family to the Vengeance of Cheit Sing; and as my Dewan had been left at Banaris, I hoped by his Means to procure the Treasure to be transported to Chunar, and I received their Orders for the Delivery of it to him. But in this Expedient I was disappointed, for the Dewan was so concealed, that my Letter could not reach him, and Gopaul Dois, the Banker, through whose Agency the intended Plan was to be effected, was about the same Time apprehended and carried a Prisoner to Lutteespoor, where the Rajah resided; neither could I at that Time devise any other Contrivance to avail myself of the Assistance which had been thus generously pressed upon me. When I returned to Banaris, Beneram Pundit renewed the same Tender; and although my Distress for Money was not then equal in any Degree to that which had before prompted him to make it, I agreed to accept it, willing to furnish an incontrovertible Proof of his Sincerity in the First Offer, and strengthen the Testimony which I have herein given of his steady Attachment to our Government. The whole Sum, amounting to One Lack of Banaris Sicca Rupees, was received between the 30th of September and 1st of October: I have granted to Beneram Pundit a Bond for the same, at the usual Rate of Interest, and in the usual Form, except that it has only my Signature to it. I hope and request that the Board will be pleased to confirm it.

Banaris,

13th October 1781.

I have the Honour to be, &c.

Warren Hastings.

Num. 128.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

I do myself the Pleasure to acquaint you with my Progress since I left Khaunpoor.

You no doubt heard of my sudden March from thence for the Safety of Lucknow, and a few Days afterwards of my hasty unexpected March for the Relief of Lieutenant Colonel Hannay, whose Situation, from his Letters to me and Mr. Middleton, was beyond Description, and which authorized the March immediately necessary. He was stationed at Sakrora, about 30 Cos from Lucknow; and to get to him I had Four unfordable Rivers or Nullahs to cross, and all the Country almost between the Goompty and Gogra was badly revolted, and were assembled in a very considerable Body, headed by many of the disaffected Rajahs, which I had to remove before I could possibly attempt to cross the Gogra; in all which I was very successful, and relieved Lieutenant Colonel Hannay the 6th in the Morning. The Rebels who had occasioned such Commotion in that Country, and had occasioned him calling for Assistance, were then assembled at Bopaul Ghaut, on the Banks of the Teerah Nullah, which I was informed was fordable; and that they were determined to maintain their Ground. I halted a Day, and got an Addition of Two 6 Pounders and Two hundred of the disaffected Horse. I marched, and found them posted as described, across the Nullah, with Two Guns well stationed for their Defence, which they had taken somewhere or other. In this Situation, I advanced the Grenadier Companies with the Four Guns immediately to the Banks of the Nullah, with an Intention to have ordered the Grenadiers and Two Guns over; but I found the Intelligence which I had received, of its being fordable, premature, and it might have been attended with that Consequence that I might have suffered exceedingly. This was an Accident I could not foresee, and which took me nearly Half an Hour to correct in finding out a Place where there was the least Probability of fording, and at this Place the tallest Men could only get through. I then ordered the Grenadiers with Two Guns down to the Ford (having previously provided long and thick Ropes to enable me to drag the Guns through any Nullah where I might not meet with Boats), while the other Two Guns were covering their Crossing. This obliged the whole to give way, leaving their Guns and Two Tumbrils, with near 100 shotted Cartridges, &c. &c. From the first of my Arrival at the Ghaut, until they gave way, was near an Hour. I had only Two Men killed and Four wounded; of the Enemy, I found on the Spot between 60 and 70 killed, and many more lay scattered about at a Distance, which they had endeavoured to carry off; the greater Part of their Wounded were likewise moved away, owing to the Difficulty and Delay that I met with in getting across the Nullah. They are a Set of the most obstinate People I ever met with; for such of the Wounded as were not taken away refused the Assistance which I offered them. Could I have possibly got across sooner, and the Horsemen had recovered from their Panic, there must have been very great Carnage.

It is impossible to ascertain their Numbers; it was supposed they consisted of Ten thousand and upwards, Horse and Foot; but the irregular Manner in which they were drawn up, prevents my forming any Judgment.

This Circumstance of the Intelligence respecting the Ford was unfortunate; however, I have taken care in providing such People as will inevitably prevent the like happening again. They were Natives of this Country; and I am almost certain it was done on Purpose, for the Hircarrahs that carried me to the Ghaut I have not seen since.

To describe to you the Situation of Colonel Hannay's own Sepoys, and which called me to his Relief and Assistance, I suppose you will be acquainted with, either by himself, or from Mr. Middleton; and as I have entered upon the restoring this Country, and a Regiment will be necessary, I beg the Favour I may not be relieved.

Camp near Goonda,
October 13th, 1781.

I have the Honour to be, &c.

F. Naylor.

NUM. 129.

General Orders *issued by the Governor General at Banaris the 19th October 1781.*

The Governor General having received a minute Detail from Major Crabb, of the March and Occurrences of the Detachment lately under his Command, in an Enterprize against Lutteeepoor, (which Detail has been hitherto delayed by the Indisposition of Major Crabb) repeats, in a particular Manner, the general Thanks which he gave to the Detachment on the first imperfect Account of their Success.

It is with extreme Satisfaction that the Governor General observes the Spirit and Perseverance with which the Troops surmounted the many and great Obstacles which opposed their Progress through the Mountains, and the Gallantry with which they attacked and defeated a strong Detachment of the Enemy after a most fatiguing March.

The Governor General entertains the highest Sense of the Zeal and Abilities with which Major Crabb has conducted successfully an Expedition attended with uncommon Difficulties from Nul-lahs, Jungles, and other Impediments.

The greatest Commendations are also due to the Officers of the Detachment, for their able and active Assistance in this arduous Expedition.

The strong Recommendations which Major Crabb has given of Lieutenant Fireworker Baillie, for his distinguished Attention and Activity in the Management of the Artillery under his Charge, affords the Governor General the Pleasure of a Second Occasion of acknowledging the Services of that Officer in the same Campaign, and publishing his Thanks for them.

NUM. 130.

General Orders, November 8th, 1781.

The Stations of Futtehghur and Daranagur to be immediately and totally withdrawn, and the Troops from both to proceed immediately to Khaunpoor, where they are to remain under the Command of Colonel Morgan until further Orders.

The Detachment, commanded by Colonel Muir, to encamp at Etaya until further Orders.

All Recruiting for any of the Corps beyond the Provinces, to be immediately suspended.

A Regiment of Sepoys from the Station of Khaunpoor to be stationed at Lucknow, under the Orders of the Resident, and relieved every Three Months.

All British Officers holding Commands, or employed in the Service of his Excellency the Nabob Vizeer, are hereby recalled to their Duty in the Company's Troops; they are first to repair with their Corps to Lucknow, where they are to discharge all Arrears due to the Troops under their respective Commands, and settle their Accounts with the Paymaster General of the Vizeer's Establishment under British Officers, after which they are immediately to proceed to the nearest Station of the Company's Forces, and wait there until they receive the Orders of the Commander in Chief respecting their future Destination in the Corps of the Army.

NUM. 131.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

The Mutineers came to Terms with the Rajah the Day before Yesterday; they receive Four Lacks and quit the Service.

Yesterday a Letter from Cheit Sing came to the Rajah, requesting his Assistance; on its being read, the Rajah expressed his Attachment to you.

The Rajah is in good Health.

Naugpoor,
18th October 1781.

I have the Honour to be, &c.

F. B. Thomas.

The Papers that form this Appendix are true Copies of the Original; or, where there are Translations inserted of Persian Letters, true Copies of those Translations.

E. HAY,

*Sub. Sec. to the Honourable Governor
General and Council.*

PART III.

A P P E N D I X.

P A R T III.

Containing A F F I D A V I T S.

FIRST PARCEL.

NUM. 1. A.

Affidavit of Major Eaton, commanding the Fort of Buxar.

Isaac Eaton, Major of Infantry, in the Service of the United Company of Merchants of England trading to the East Indies, maketh Oath and faith, That the annexed Papers, respectively marked * N^o 1. B, C, D, E, and F, are, as they purport to be, Copies of Letters respectively written and received by this Deponent; and that he did believe, from the best Information which he had received at the Time of writing the Letters purporting to be written by him this Deponent, that the Subject Matter thereof was true, and still believes the same to be true. And this Deponent further saith, That he hath at diverse Times written several Persian Letters to the Rajah Cheit Sing, containing Complaints of a like Nature; and that he hath not to this Hour been able to procure Redress from the said Rajah, either on account of the Complaints contained in the annexed Letters, or in the said Persian Letters; that the said Rajah had at different Times inveigled the Sepoys under the Command of this Deponent to desert and enter into his Service; and that, from the general Conduct of the said Rajah and his People, this Deponent verily believes the said Rajah was disaffected to the English Government, and wished the Subversion of the same. And further this Deponent saith, that he hath commanded the Fort or Garrison of Buxar, on the Frontiers of the Company's Possessions, and next adjoining to those of the Zemedyary of the said Rajah Cheit Sing, for the Space of Three Years and Half, and, from his Office and Situation, had frequent Experience of the Disposition of the said Rajah, and of his People.

Sworn this 9th Day of December
in the Year 1781, before me
E. Impey.

Isaac Eaton.

NUM. 1. B.

To Thomas Graham Esq; Company's Resident at Banaris.

Sir,

From the many contemptuous and disrespectful Letters and Messages received in answer to the different Applications made by me to the Fougedars, Aumils, Zemeedars, &c. of Cheit Sing's Country, on various Subjects, I find myself obliged to address you in this public Manner, in Hopes of Redress from your Representation to the Rajah; and in order to shew you their Disinclination to assist the Company, or oblige me, I shall here mention the Heads of two or three Circumstances as I have had occasion to write to them upon. About Sixteen or Eighteen Months ago, a Boat with Two Twenty-four Pounders, belonging to the Honourable Company going to Chunar, was sunk a little above Beerpoor on the Ground belonging to the Village of Seerpoor: In consequence I applied to the Zemeedar of Beerpoor to assist me in endeavouring to weigh the Boat, at the same Time promising a Reward to such People as he could let me have. Instead of complying with my Request, he returned me an insolent Answer, saying, *He had seen many Fringees; who was he? (meaning me); that he was Rajah Babadre's Servant, not mine, and would therefore give me no Assistance without his Orders.*

I then wrote to the Fougedar of Imaumabad; who made a Shew of Assistance, by sending Thirty or Forty Men. As they could be of little or no Use, I collected together, from Buxar and Bowjpoor, as many as I possibly could, with whom I went and examined the Spot, and found it impracticable, from the Rapidity of the River, at that Time to weigh the Guns, had I been supplied with the Number of People required. On my making known to the Board the Impossibility of their then being got at, I was ordered to fix a Buoy to the Boat, and post a Guard on the Banks nearest to the Place, in order to prevent its being cut away, in Hopes the Course of the River might alter sufficiently this Season to admit of their being taken up. I gave the Command of the Guard to a Naick, who formerly resided at the Village of Seerpoor, as I thought him the likeliest Person to get the Assistance of the Country People when I might want them. The Naick came to me about a Month or Six Weeks ago, and informed me the Buoy and Mast were cut away in the Night by some of the Mullahs either of Seerpoor, Beerpoor, or Barrow; that if I would permit him to go and reside amongst those People for a Week or a Fortnight, he would find out who cut it away, and by what Authority, as he had Reason to suspect the different Zemeedars, having previously heard that such a Thing was in Agitation. I permitted him to go; and in Ten Days he returned, and informed me, Two Mullahs belonging to one of the Villages

* N. B. The Marks of Reference are different from those of the original Manuscript.

told him, they knew the People, but it was as much as their own and their Families Lives were worth to divulge it, as the Zemee-dars had threatened the Life of any Person who should inform the Fringeers, adding, the Guns would be useful to themselves, as the English would not possess the Country long. I wrote to the Fougedar Buckt Sing Toukaury, of Serinja Pergunnah, and Meer Aussen Ally of Imaumabad Pergunnah, to deliver up the Mullahs of the different Villages, at least those who had cut away the Buoys. In consequence I obtained an Order on the Zemee-dars and Cutwalls for their being delivered up; but the Cutwall of Imaumabad refused, saying, He did not know me; that if I wanted them, or any Thing else, I should fight him for it before I should have it; at the same Time collecting a Mob, he drew his Sword, and made a Cut at one of my People, which he defended with his Firelock, or would most probably have been killed. Upon this being reported to me, I sent a Party of Sepoys, with Orders not to make any Disturbance, but if any Resistance was made, to bring the Cutwall a Prisoner to me. Before the Sepoys could get there, the Mullahs were sent; but those who gave the Information to the Naick, and which were the People I wanted, were not among the Number; upon my inquiring where they were, I was told that one was dead, and the other gone to Calcutta.

The Practice of drawing their Swords upon my People is very frequent. Whenever I have occasion to send them into the Country, either for Provisions, Bamboos, Straw, or any other Article I may want for my Garrison, or the Troops under my Command, although I write to them in the most polite and civil Manner for the smallest Article, and never suffer any Person under me to take the Value of a Straw without paying for it; notwithstanding which, they will not supply me with any Thing by Consent, but, on the contrary, abuse my People in the most gross Manner; and frequently, when the Gentlemen belonging to this Station have sent their Servants to purchase Things, they have been beat in a most cruel Manner.

The Zemee-dars of Narainpoor, Beerpoor, and Chousah, make a common Practice of stopping Boats, although they have regular Rowannahs and Passports from Government. On my sending to know the Reasons for their detaining them, they make use of the most disrespectful Invectives against the Company and me; particularly the Zemee-dar of Narainpoor, who not long ago confined one of the Chowdries of Buxar for Nineteen Days in Irons, and made him pay for another Man Fifty-three Rupees. Upon my writing him on the Subject, to know why he confined him, he drew his Sword on the Sepoy I sent, and returned a verbal Answer, that if the Chowdry came on his Side the River, he would cut his Nose and Ears off, and make him pay as much more.

Indeed, from the many Instances I have experienced of the Insolence of the several Zemee-dars, and the many Complaints I have made to their different Fougedars of them, I have every Reason to believe they are encouraged by them. I shall therefore consider myself obliged by your procuring for me from the Rajah, an Order for such Articles as I may have occasion for, on my paying the customary Price, as by that means it will prevent any further Trouble.

I have the Honour to be, &c.

Isaac Eaton, Capt. commanding.

Buxar,
23d May 1779.

NUM. I. C.

To Francis Fowke Esq; Company's Resident at Banaris.

Sir,

On the 27th August I did myself the Pleasure of addressing you on a Subject, which I conceived of great Moment to the Company, or at least to me, as it struck at their Authority as well as mine; but it not being taken notice of by you, I should suppose it had not come to hand, and therefore I enclose a Copy, and beg you will on Receipt hereof interest yourself with the Rajah, to give me ample Satisfaction for such Behaviour, otherwise, in Support of my own Consequence, I shall be obliged to apply to the Board for Redress, or for Leave to do myself Justice; for at present the Inhabitants of this Country are in such a rebellious State, that within a Mile of me they refuse to sell the smallest Article wanting either for myself or for the Troops under my Command, notwithstanding I address them in the most polite Manner, by Letter, for the most trifling Thing. It is but Yesterday the Zemee-dar of Narainpoor treated me with the greatest Contempt, by throwing a Letter I sent him on the Ground, and treading on it. The Contents were to request he would send Two or Three Dookaundars with Grain, &c. &c. for the Use of Captain Crawford's Detachment. The Zemee-dar at the same Time made use of the grossest Abuse against me and the People I sent, telling them *he could raise Four hundred men; that if the Fringeers wanted any Thing, they should fight for it.* This Kind of Conduct, if not soon put an End to, will be productive of Bloodshed; for it is impossible in my Situation, let what will be the Consequence, to suffer it, or the People under my Command will be spit at as they pass through the Country, and myself insulted at my Fort Gates. Your speedy Reply will much oblige,

Sir, &c.

Buxar,
3d November 1780.

Isaac Eaton, Captain commanding.

NUM. 1. D.

To Captain I. Eaton, commanding the Fort of Buxar.

Sir,

I have but this Moment received your Favour of the 3d Instant. I am ashamed to say, that the Original of the Copy which you inclosed, came to hand in due Time. All I can say in Excuse for my Inattention, is a bilious Fever, from which I am now only recovering, and which, during its Continuance, totally incapacitated me for any Kind of Business.

I will immediately apply to the Rajah in the Manner you desire, and represent to him the Propriety of punishing and repressing the Insolence of his Servants, and the Necessity of their assisting the Commander in obtaining Supplies for his Garrison: However, I think I can venture to predict, that a Recrimination is all the Redress I shall be able to procure; and I am convinced that the Interference of the Supreme Council is become absolutely necessary to put a Stop to these Enormities. The Moment I receive the Rajah's Answer, I will give you the Substance of it.

The Inclosed will inform you of what has already passed upon this Subject.

As I have heard nothing from the Board upon this Subject, I conclude that my Letter has been passed over amidst the Multiplicity of Business in which the General must have found himself involved on his Arrival at the Presidency. I remain,

Sir, &c.

Banaris,
8th November 1780.

F. Fowke,
Resident.

NUM. 1. E.

To Francis Fowke Esq;

Sir,

I have received your different Favours, and have seen the Perwannah, which I am afraid will have little or no Effect, as the whole Country seems to be in a State of Ferment. So lately ago as the 14th Instant, Three Gentlemen, who were proceeding to join the Army, were insulted by the Zemcedar of Beerpoor, who not only beat and bruised their Servants, and afterwards robbed them, but cut one of the Gentlemen with a Tulwar across the Forehead, and other Parts of the Body, in so dangerous a Manner, that he was sent off from Buxar Yesterday Morning, to have the Assistance of the Medical Gentlemen at Patna; but as there is every Appearance of a Fracture, I am much afraid he will not recover. The other Two Gentlemen, after this shocking Accident, returned here, and propose remaining with me until they hear of Mr. Basset (the Gentleman wounded) whether he recovers.

Both the Gentlemen say, the Stroke was made by the Zemcedar himself; upon which I immediately dispatched a Serjeant and Thirty Sepoys, who are just now returned, having brought along with them a Parcel of Black Fellows from Beerpoor; but as I have not as yet had Time to enquire into the Particulars, I am uncertain whether the Scrutiny will be attended with the desired Success: I am however resolved to keep the People I already have in Confinement, Prisoners, until I am able to get to the Bottom of this infamous Affair. I request you will inform the Rajah of my Resolution, that he may take the proper Steps to have it cleared up; as this is not the only Instance of the daring and rebellious Spirit of the Natives in Cheit Sing's Districts. The Inclosed will shew you a new Species of Fraud and Extortion, committed by Myup Sing, the Paranparaha Zemcedar, who takes upon himself the Collection of Duties on Boats passing his Station. The Serang, from whom he squeezed Money, has given me the inclosed Account of the Matter, drawn up by himself, and to which I refer you; and am,

Sir, &c.

Buxar,
17th November 1780.

Isaac Eaton,
Captain Commanding.

NUM. 1. F.

To the Honourable Warren Hastings Esquire, Governor General, &c. Council.

Gentlemen,

As I have ever considered it as an essential Duty incumbent on me, as commanding at this Station, to give every Information in my Power, respecting the proper and regular Manner of distributing Justice, and preventing oppressive Acts and Irregularities, to the Honourable Board; I have embraced this Opportunity of communicating a Piece of Intelligence, which, from the flagrant Circumstances and daring Spirit of the Natives in this Part of the World, requires the most serious Attention of the Honourable Board.

So very lately as the 14th of the current Month, Three Gentlemen, viz. Ensigns Irvine, Horne, and Basset, being on their Way to join the Army, were stopped by these Freebooters at Beerpoor, a Village distant from Buxar only Three Cois. The Zemcedar, at the Head of a numerous Gang, endeavoured and was very assiduous in picking a Quarrel with the Gentlemen's

Servants,

Servants, Two or Three of whom they cut down with Tulwars, and afterwards robbed a Baggage Boat. Not yet satisfied with such cruel and barbarous Treatment, the Zemcedar (as Two of the Gentlemen inform me) made a Stroke at Mr. Basset with a Tulwar, and cut him so desperately across the Forehead and other Parts of the Body, that he was brought back to Buxar, and immediately sent away to Patna to have the Assistance of the Medical Gentlemen at the Station, though with very little Hopes of Recovery. The other Gentlemen are at present with me waiting the Issue. Immediately on receiving the above shocking Account, I dispatched a Serjeant and Thirty Sepoys in Quest of the Offenders; and Yesterday the Detachment returned, and brought a Number of People Prisoners along with them, which I will lose no Time in examining, and taking every other Step necessary to get to the Bottom of so daring an Insult. So soon as I am able to investigate the Matter thoroughly, I will take the earliest Opportunity of addressing the Honourable Board with the Result of my Enquiry.

As this is not the only Instance of the daring and insolent, I may almost say, rebellious Spirit of the Natives in almost every District of Cheit Sing's Country, I have officially made repeated Applications to Mr. Fowke, the Resident at Banaris, to represent those Grievances to the Rajah, but hitherto without Effect.

General Coote likewise addressed Mr. Fowke, in consequence of my Complaint, a Copy of which I send inclosed; also Mr. Fowke's Answer to the General. Some short Time afterwards, I had a Second Occasion to address Mr. Fowke on a Second Insult; a Copy of which I likewise inclose you, with his Reply.

Since writing the above, I have just had a Third Complaint preferred to me against these People, by a Serang that was stopped by Myup Sing, the Paranpara Zemcedar, who threatened to murder him, if he did not immediately pay 100 Rupees Duty on a Boat belonging to Major Duff, which he at that Time had charge of, and was conducting to the Presidency. The Account, as wrote by the Serang himself, and delivered by him to me, I have inclosed for your Perusal.

All these Circumstances, properly considered, will evidently shew the great Necessity there is of speedily falling upon some Means to put a Stop to such outrageous Conduct, as at present there is no Safety for the Traveller either by Land or Water.

I have the Honour to remain, &c.

Isaac Eaton.

[SECOND PARCEL.]

NUM. 2. A.

Affidavit of Major Palmer.

William Palmer, Major in the Service of the Honourable the East India Company in Bengal, maketh Oath, and saith, That about the latter End of the Month of June last, the Honourable Warren Hastings Esquire, Governor General of Bengal, discoursing with this Deponent on the Subject of his intended Journey to Banaria and Lucknow, declared one of the principal Objects of it to be to exact from Rajah Cheit Sing a Fine or Contribution of Fifty Lacks of Rupees, as a Punishment for Breach of Engagements with the Government of Bengal, and for Acts of Misconduct in his Zemcedary. The Governor General further declared to this Deponent, That he knew the Ability of the Rajah to contribute such a Sum to the Exigencies of Government, and that he the Governor General was determined to convert the Faults committed by the Rajah into a public Benefit. The Governor General further declared to this Deponent, in the same Conversation, That an Offer from the Rajah, but indirectly, had been made to him of Twenty Lacks of Rupees for the public Service, as a Retribution for his Failure of Engagements; but that he the Governor General was resolved to insist upon the first-mentioned Sum of Fifty Lacks of Rupees; and if the Rajah should absolutely refuse the Demand, that he the Governor General would deprive him of his Zemcedary, or transfer the Sovereignty thereof to the Nabob Vizeer.

Sworn before me this

4th Day of December 1781.

W. Palmer.]

E. Impey.

[NUM. 2. B.

Attestation of David Anderson Esquire.

To the Honourable Warren Hastings Esquire.

Honourable Sir,

In obedience to your Commands, conveyed to me through Major Palmer, I shall endeavour to repeat, as well as I can remember, the Purport of what you were pleased to inform me before your Departure from Calcutta, of your Intentions regarding Cheit Sing; but as so long an Interval has since elapsed, my Recollection, which has never been strengthened by a Communication, must necessarily be somewhat imperfect.

After enumerating some of the Resources which you expected to find up the Country for the Relief of the Company's Exigencies, you mentioned to me the Conduct of Cheit Sing.


You

PART III.

You observed, that he owed his Elevation to the Company; that he was allowed to enjoy a very considerable Income, the Revenue exacted from him being much inferior to the Produce of his Districts, and that his Territories were maintained and defended by the English Army: That on those Considerations, it had been reckoned equitable that he should contribute on an Emergency to the Support of Wars carried on by that Government under which he held his Zemeedary, and to which he was indebted for its Protection. Accordingly you mentioned, that a Sum had been demanded from him; that, after some Difficulties, he had agreed to pay it at a certain Period; that, trusting to his Promises, you had made an Assignment on him for the Use of Colonel Camac's Detachment; and that Colonel Camac, relying on his Punctuality, had returned a Bill for a less Sum, which had been sent to him by Mr. Middleton; but that this Confidence had nearly proved fatal to the Detachment, and actually did prove the Cause of retarding the Expedition: That Cheit Sing, in spite of all the Representations which were made to him, delayed so long the promised Payment, that the Officers of the Detachment were reduced to the Necessity of selling their Plate: That you therefore determined to call him to an Account, and oblige him to make an Atonement for his Conduct in this Instance, and the Want of Attachment he had in general shewn to our Government, by paying a considerable Sum of Money to the Relief of the Company's Exigencies; that if he consented, you were desirous of establishing his Possession on the most permanent and eligible Footing; but if he refused, you had in your Power to raise a large Sum for the Company, by accepting of an Offer which had been made for his District by the Vizeer. You minuted the Particulars of Cheit Sing's Conduct in an Account which you drew up in Calcutta, of the State of the different Powers of Hindostan; though I do not believe that in that Paper you expressed the Intentions you had formed; and I remember you told me, that you had communicated to Mr. Wheler your Intentions regarding Cheit Sing; and I believe (though I cannot positively recollect) you said he had concurred in them.

I am, with the greatest Respect, &c.

Mahomed's Camp, near Dutteah,
the 14th January 1782.

D. Anderson.] 

THIRD PARCEL.

NUM. 3. A.

Affidavit of Captain Davy.

Captain William Davy, private Persian Translator to the Honourable Warren Hastings Esquire, Governor General of Bengal, &c. maketh Oath, and saith, That he understands the Persian Language, and that the English Papers marked Num. 3. B, C, D, E, F, G, H, I, K, L, M, N, O, P, Q, R, S, T, U, hereunto annexed, are respectively true and faithful Translates of the several Persian Papers, marked, 1 A, 2 A, 3 A, 4 A, 5 A, 6 A, 7 A, 8 A, 9 A, 10 A, 11 A, 12 A, 13 A, 14 A, 15 A, 16 A, 17 A, 18 A, 19 A, likewise hereunto annexed, according to the best of this Deponent's Skill and Belief.

Sworn before me this 12th

Day of December 1781.

William Davy.

E. Impey.

NUM. 3. B.

Translation of the Declaration of Hyder Beg Khan, attested before Chief Justice Sir Elijah Impey, November 26th 1781.

When I arrived at the Seray of Saumee, the Gov. General, Mr. Hastings, was in the Fort of Chunar. I was detained at the Seray by the Swelling of the River Burnau. The Vakeel of the Rajah Cheit Sing came to me, and delivered to me thus the Message of the said Rajah.—“I [Cheit Sing] have not been in any Manner deficient in my Obedience to the Gentlemen of high Rank [the English].—The Governor General arrived at Banaris.—At the Instigation of Owfan Sing, Mr. Markham brought Two Companies, and put me in Arrest.

About Twelve o'Clock my People, stretching forth their Hands, brought me out from thence—For the Safety of my Life I came to Ramnagar, and from thence to Lutteefpoor.—After that, a Force came from Chunar to Ramnagar.—Owfan Sing wanted to seize upon Ramnagar. My People stood upon their Defence; an Engagement followed, and the Troops of the Governor General were cut off. I am now determined not to pass by aught which may be in my Power to execute. Do you (i. e. this Deponent) write thus to the Vizeer of the Empire, “That if Support is given to me, I will collect together an Hundred thousand Men, I will go even to Calcutta, and I will totally annihilate the English Government.” I replied to the Vakeel, “that this Conduct, and these Declarations, would be productive of Evil to the Rajah.—When the Companies came to confine the Rajah, he should have gone that Moment to the Governor General.—People say that he hesitated whether he should, or not, attend the Governor. If the Governor General had had any ill Intentions towards him, he would have called together the Company's Forces, who were stationed in different Parts—To what Purpose was it to come alone to Banaris? Or he

would have seized him upon the Road. Such Intentions on the Part of the Governor General, from this Retrospection, are not to be conceived. If a Master and a Ruler exerts his Authority, still there is no Cause for Fear and Apprehension. On these Subjects, with which you are unacquainted, I will communicate Circumstances as they are. His Highness is, in his Life and in his Fortune, joined and united with the Company, and the English Gentlemen. The whole of his Dominions is from them (or is theirs), nor does he wish that there should be any Distinction between his and theirs. Such Regard more especially does he pay to the firm and perfect Friendship which always subsisted between the Governor General and his Highness the late Nabob, that he never will be led to deviate, even the Point of a Hair, from the Sentiments and Wishes of the Governor. As soon as his Highness hears these Things, he will march immediately with his Forces to meet Mr. Hastings. Notwithstanding the Governor General has repeatedly written to the Vizeer to forbid him, yet his Highness will now come on his own Determination. The English Forces too are near at hand, they will speedily arrive, and the Punishment will be severe. It is not well for the Rajah; he will be torn up by the very Roots.—To threaten also that which is out of his Power to execute, is improper; the Rank of the Rajah is nothing more than that of a Zemeeदार; no one will pay regard to his Attempts, and a small Force will be sufficient to chastise him. Far better will it be for him to lay aside such Thoughts as these, to implore Pardon of the Governor General, to give up his Forts, and send back to him the Boats and the whole of the Baggage; or rather, it would be better that he himself should go alone, and with his Hands bound, into the Presence of the Governor.'

Again he brought this Message from the Rajah: "I can no longer rely with Safety on the English. If you say thus, do you interpose, obtain Pardon for my Faults, and take upon yourself to settle the Subsidy." I said in Reply, 'Your Crimes have been too great; you have attacked the Troops of the Company. I cannot presume to take upon myself to settle your Affairs, and to obtain Pardon for your Crimes. If you have actually resolved on a Change of Conduct, return the Boats and the Baggage, and give up Ramnagur, Lutteefpoor, and Pateeta. Supported by such Proofs, I will once endeavour to obtain a Pardon for you; to grant or to refuse will rest with the Governor General.' The Person who brought the Message said in Answer, 'The Intentions of the Rajah are to seize upon the Fort of Chunar, and to extend his Government as far as Calcutta, and you tell him to deliver up Ramnagur, Lutteefpoor, and Pateeta!' I said, 'Then the Rajah, it appears, aspires to the Empire, yet his Rank is only that of a Zemeeदार! these Attempts will draw down Destruction upon him; he will be extirpated in a Moment.' After this Conversation, he promised to return the Boats, but he never performed his Promise. An Animosity to all the English, plainly and evidently appeared from the Language of the Rajah's Vakeel; he repeatedly said, that he would go even to Calcutta, and that he would expel the English, nor would he be deficient in aught which he had the Power to execute. When he found that he had nothing to hope from my Interposition, he began to act hostilely towards me also. He denied me Boats to cross the Burna, and he directed the Tribe of Gurkbunsee to attack me in the Night. During the few Days that I continued there, we were obliged to keep ourselves ready for Action, and be upon our guard Day and Night. In the Neighbourhood of Jounpoor, the People of the Rajah wounded several of the Stragglers belonging to the Cavalry in his Highness's Service, who were coming to join me, and carried off some Horses. And the People stationed at Azumgur, who came in to me, set forth, That Nadir Shah, the Son of Azum Shah, Zemeeदार of Azumgur, which was formerly under the Government of Cheit Sing, had, by Directions from the Rajah, gone to Azumgur and raised Disturbances. And the Vakeel of Cheit Sing, in the Course of his Conversation, said, that the Rajah had sent Forces towards the Carramnassa, and even to the Walls of Patna; and that Letters were gone to the King, to Nujjuf Khan, and to Sindiah. Zaulim Sing, formerly expelled from Amurdeh, was at Budlapoor, in the Government of Cheit Sing: He also went to Amurdeh, in the Territories of the Nabob, and raised Disturbances. It appears that the People of Budlapoor accompanied Zaulim Sing. Such were the Reports communicated to me by the People of that Place. Finding it impracticable to cross the Burna, where I was, without Boats, I marched from thence, and crossing higher up, where the River was fordable, I proceeded to join the Governor General.

This Account of what I heard, and of what I saw, I have truly and faithfully related. There may be a Difference between the Idioms of the Hindostan and Persian Languages, but there is none in the Sense. I swear by the Almighty, that I have truly wrote, without Diminution or Addition, all that I heard and all that I saw, and nothing but the Truth.

Hyder Beg. That which is written is true.
Sealed with his Seal.

NUM. 3. C.

Translation of the Deposition of the Moonshy Gore Pershaud.—The Deponent sworn before Chief Justice Sir Elijah Impey, December 2d 1781.

Without the Means of Escape, I was obliged to put on the Habit of a Fakeer, and with my Brother take shelter in the Hindoo Temple Arnepoorna, where I continued undiscovered for Eight

PART III.

Eight Days. At length a Fakeer, for the sake of the Reward, went to Girdhauree Laul, the Brother of Diaram, Aumeen of Banaris, and said, that for a Recompense he would seize and deliver me up. The said Girdhauree Laul gave Five Rupees to the Fakeer, and sent Five-and-twenty Peadahs along with him, who took me from the Temple, and confined me for twenty-two Days in the Aumeen's Kutcherree. My Pen is unable to describe the Ignominy, and the Severities which they inflicted upon me. After that, I was confined for Four Days at Ramnagur, and at length, on the 27th of Ramzan, in the Twenty-third Year of the Reign, I was tied Hand and Foot and thrown upon a Dooly, and sent away from Ramnagur to Lutteefpoor. On the Road, near to the House of the Chowdry Sewan, I saw a Number of Ladders made of Wood and Bamboos (about Forty or Fifty) lying on the Ground. I enquired of the Peadahs who guarded me, what those Ladders were intended for. They replied, that they had been intended for the Garden of Mehadow Dofs, but it was ordained, that the English Gentlemen should live: They made their Escape, otherwise Bauboo Soojaun Sing would not have left one of them alive. Having heard this Reply, I remained silent.

Moonshy Gore Pershaud.

NUM. 3. D.

Translation of the Deposition of Hurry Ram Pundit.—*The Deponent sworn before Chief Justice Sir Elijah Impey, December 2d 1781.*

The Rajah Cheit Sing, having reflected on his Conduct, determined with his confidential People, that it was necessary he himself should go to meet Mr. Hastings, but that he should go from the Place where he was, with such a Force, and with such Preparations, as would enable him to act both by Land and by Water, and impress the above-mentioned Gentleman with an Idea of his superior Strength; for that Mr. Hastings had with him but a small Number of Troops, and if he should have entertained any ill Intentions toward him, on observing the Number and Force of his Followers, he would be led to reflect, that nothing could be effected, and consequently he deterred from making the Attempt; therefore he gave Information and particular Directions to all his Soldiers and Attendants, that he was going to meet Mr. Hastings, and that they should hold themselves in Readiness to proceed: That he should go by Water, for which Purpose, a Fleet of Boats was prepared; for the before-mentioned Gentleman (the Governor General) would come by Water, and consequently his Fleet of Boats would come with him; therefore it was necessary, that he (the Rajah) should have a Fleet of Boats also, that his People might always be near at hand: That a Body of Cavalry moreover should proceed by Land, and Tents be pitched at Two Places between Ramnagur and Buxar; for at all Events he must meet the Governor General. Accordingly, on the 16th of Shaubaun, the Rajah set out from Ramnagur, by Water, to meet Mr. Hastings. The Jemmadars and Huzzarries, Jaafir Khan, Dillal Khan, Juttoo Khan, Zubbardust Khan, Lulloo the Son of Kauna Mull, Rambuksh, Baulkishen, &c. all together near Five hundred Horse; also Jemmadars of Foot, with Matchlock Men, &c. near Two thousand, proceeded along the Southern Bank of the Ganges. And by Water, the Rajah was attended by a Fleet of Boats, in Number about a hundred and Forty, in which were embarked Suddanund Buxey, Golaum Hooossein Tay, Mirza Fyz-ullah Beg, Bauboo Doorgbijey Sing, Munnear Sing, Purtaub Roodur Sing, Doond Bahadre Sing, Ahlaud Missur, Meer Hooossein Ally, &c. Sheakh Mahommed Aumeen, Commandant of the Sepoy Battalions, Dabee Sing, Mahommed Moraud, Dhun Sing, and Hukkoomut Sing, Soubadars, with Two Companies of Sepoys, Huzzooree Peadahs, and Matchlocks, in all about 2000 Men. Godur Mull and Bullum Dafs, who were stationed at Ghauzipoor, joined by Orders from the Rajah, who afterwards arrived at Buxar, and had an Interview with Mr. Hastings.

Written by Hurry Ram Pundit.

[NUM. 3. E.

Translation of the Deposition of Jewan Ram Moonshy, in the Service of the late Lieutenant Stalker.—*The Deponent sworn before Chief Justice Sir Elijah Impey, December 2d 1781.*

After the Arrival of Mr. Markham at Shewallah, I went in and paid my Respects to my Master; who asked me, if I knew whether Mr. Markham would come there or not? I replied, It was reported so, but that it depended on his Inclinations. Mr. Stalker then told me, I might go, but afterwards ordered me to stay. I continued there, and saw Doorgbijey Sing sitting with the Rajah in the center Apartment, and Suddanund Buxey and others whispering to the Rajah. Shortly after, News was brought to the Three Gentlemen sitting in the adjoining Room, that there were Disputes without. Mr. Stalker went without the Jauli (or First Wall) and asked the Subadar Bishun Sing, why he had ordered the Bayonets to be fixed? The Subadar replied, that Numbers of the Rajah's armed Servants had come in, and that they paid no regard to the Company's Orders. After which, Mr. Stalker advanced further out, and asked of the younger Mowllavy and me, who amongst those People was the Chief? I answered Bauboo Munnear Sing. Mr. Stalker sent for Munnear Sing, and strongly enjoined him to appease his People, and enquire, why they attempted to dispute and fight with his Sepoys. Munnear Sing replied, "What Power have they, that any one of them should presume to fight? We Two, Father

Father and Son, are desirous to go to the Rajah." Mr. Stalker answered, "Very well, but you must stay here between your People and mine, that they may not come to Blows." After that a Letter arrived from the Governor to the Rajah, which Mr. Stalker, having quieted and soothed the People, presented to him: The Rajah then got up, and went out of the Burradurri to the adjacent Bastion, to perform his Devotions.

At this Time Information was brought to Mr. Stalker, that the Rajah's People opposed and refused Admittance to another Company of Sepoys who had brought Provisions, a Table, &c. for the Gentlemen. Mr. Stalker again went out, and calling to Suddanund Buxey, asked the Cause of this Opposition; and told him to send Directions (to the Rajah's People). Suddanund said he would go himself. Mr. Stalker replied, "No, send One of your Servants." While the Man was going out to silence the People, Mr. Stalker returned within the Jauly. Doorgbijey Sing was gone from thence no one knew whither. Cheit Ram, Mr. Markham's Chubdar, informed Mr. Stalker, that he had a Message to deliver to the Rajah from the Governor General. Mr. Stalker said, "Deliver it." He, the Chubdar, said, "At the Place where the Rajah was at his Devotions, the Governor says your People want to quarrel and fight; it will be better if you forbid them, for every Sepoy is as an European, and every European is as a (or the) Company; if a Drop of their Blood is shed, you shall be plundered and destroyed." At this Period, there was a Report of Guns at the Gate of Shewallah; the Action was commenced. At this Time, Mr. Stalker and Cheit Ram went towards the Rajah. Munnear Sing and others cut down Cheit Ram, pulled Mr. Stalker back, and pushing him on one Side, began the Slaughter. The Rajah escaped through a Window by a Rope made of Turbans, got into a Boat, and went off. His People, by the same Means, drew up Swords and Shields as a Bucket is drawn up from a Well, and began to engage. I stood near the Jauly behind my Master; when my Master was killed, I fled toward the Place where the Rajah's Victuals was dressed. I continued there a short Time, and saw the Rajah's People jump from the Walls and the Trees with their Shields and Swords, and advance. After this I assumed the Character of one of Cheit Sing's Servants, fled with his People, and came to the Presence. The Gentlemen after this went to Chunar, and I should have arrived the next Day, but I was plundered on the Road and confined in the Fort of Pindera. Diaram took away from my House Two Tangon Horses, and placed his Seal and a Guard upon the Door. After the Flight of the Rajah, the Zemeedar of the before-mentioned Fort set me at Liberty. Without a Master, every way disconsolate, to whom can I communicate my Distress? I now hope for Favour and Support from the Almighty, and from you.

Jewan Ram.] 

NUM. 3. F.

Translation of the Deposition of Bishen Sing.—The Deponent sworn before Chief Justice Sir Elijah Impey, December 2d 1781.

I had Two Locks of Muskets fixed on my Ears. Bauboo Soojaun Sing sent for me by Ram Kishen Hircarra to come into his Presence.—He said, "Deliver up the Trunks of Gold Mohurs which the Governor delivered over to your Care when he went to Chunar." I set forth, That I did not know any thing about such Trunks. He then gave Orders to the Sepoys to press the Locks hard, (saying) that without Severity I would not be prevailed upon to give them up; and then the Blood ran from both my Ears.

Written by Bishen Sing,
the 4th of the Month Ramzan, Year 23d.

NUM. 3. G.

Translation of the Deposition of the Moonshy Patnimul.—The Deponent sworn before Chief Justice Sir Elijah Impey, 2d December 1781.

The Deposition of Patnimul Moonshy. On the last Day of the Month of Ramzan, in the Year of the Reign Twenty-three, the Gentlemen went to Chunar. I was unable to accompany them for want of a Conveyance. Without Remedy, I remained in the House of one of the Inhabitants for Eight Days. The Aumeen Diaram daily caused a Proclamation, to this Purpose, to be made through the City; "In the House of whomsoever a Person belonging to the English Gentlemen may be secreted, let the Owner bring him to the Aumeen's Kutcherry and deliver him up; otherwise, (upon Proof) in the House of whomsoever a Person belonging to the English shall be found, the Owner thereof shall be (considered) as a Criminal to the Government of the Rajah, his House and Property shall be destroyed, and his Belly shall be ript open."

PART III.

NUM. 3. H.

Translation of the Deposition of the Moonshy Gore Pershaud.—*The Deponent sworn before*
Chief Justice Sir Elijah Impey, 2d December 1781.

When the Gentlemen marched for Chunar I was not informed of it. I knew it about Four Gurries after. In Terror for my Life, I secreted myself in the House of Bauboo Duffan Ram; I continued undiscovered for One Day; the next Day the said Bauboo Duffan Ram said to me, "To-day there has been a Proclamation through the City to this Purport, *Whoever has secreted a Follower of the English in his House, let him produce and deliver him up, otherwise, on Discovery, his House shall be seized, and he himself shall be severely punished.* I cannot keep you in my House, go from my House to some other Place." Without Remedy, I put on the Habit of a Fakeer, and took shelter in the Temple of Arnapoorna.

Gore Pershaud.

NUM. 3. I.

Translation of the Deposition of Doond Sing, Commandant.—*The Deponent sworn before* Chief Justice Sir Elijah Impey, November 26th 1781.

In the Month Phagun a Jemadar and a Havildar, in the Service of Soojaun Sing, the Brother of Rajah Cheit Sing, came to me, and said, "Soojaun Sing has sent for you." I asked, "On what Account has he sent for me?"—they replied, "We do not know."—I said, "I am a Servant to the English, I will not go to him." They [then] said, "He has sent for you, to take you into his Service."—I answered, "From my Youth to this Day I have been the Servant of the English; I have never gone to any Rajahs or Bauboo's, nor will I go to them." When those People returned to Soojaun Sing, they said, "Doond Sing, the Commandant (i. e. this Depo-
nent), refuses to come." The Rajah Futteh Saw also wrote to the Rajah Cheit Sing, to place a Guard over my House at Banaris, in which Case I should (be obliged to) join him with my Sepoys and Guns. This Information was given to me by the Jemadar Chaint Sing. I said, "My House, and my Wife, and my Children, may be destroyed.—Still I am the Servant of the English, and I am faithful and loyal. By the Blessing of God, in a short Time we also shall go to Banaris and plunder that Rajah, and we will spoil the Rajah Futteh Saw also." At Sukroreh I was informed that a Guard was placed at my House.

The Commandant Doond Sing not being able to write, either in Persian or Hindee, has made his Mark.

NUM. 3. K.

Translation of the Deposition of the Moonshy Mahommed Moraud.—*The Deponent sworn before* Chief Justice Sir Elijah Impey, Nov. 26th 1781.

On the 19th of Ramzan the Captain* issued Orders to all the Subadars for marching towards Banaris, and directed them to get in Readiness. The next Day we marched to Burragong. The Captain had mounted his Horse to proceed, and I was in the Rear in Search of a Conveyance for my Baggage, when Five or Six Sepoy Grenadiers and others came and surrounded me, and demanded their Pay, in consequence of which a great many more of the Sepoys came and clamoured for their Pay, and ill used me; and they brought me down from the Bungala, and beat me severely with the Butt-ends of their Pieces, and charged Bayonets even to my Breast, so that my Life was in Danger. A Hircarrah carried Information of this Affair to the Captain, who, on receiving it, turned back and arrived immediately. All the Sepoys then turned their Clamours against the Captain, using insulting Language; and they surrounded him and said that unless they received their Pay they would not set him at Liberty—that if I should pay them, well; if not, they would carry me to Baunfy, which is near to Kunkooa; and that, when they should receive the Whole of their Pay from me, they would set me free.—They moreover placed a Guard with fixed Bayonets over the Captain, and pointed Bayonets to his Breast to stab him; and they rushed upon us several Times, so that we gave up ourselves for lost. In this Situation the Captain ordered them back, and gave them Three Months Pay; and then proposed to them to march with him to Banaris. The Sepoys answered insolently, that they would not on any Account go to Banaris. Without Remedy, the Captain marched from thence with the Battalion, and arrived at Gooruckpoor. He halted there a few Days, purchased Grain for the Sepoys, and marched from thence by the Way of Baunfy. We halted Six Days at Baunfy on account of the heavy Rains; we afterwards marched from thence, and after encountering a thousand Distresses arrived at Buskoreh. The past Events, which are known to every one, I have thus related.

Mahommed Moraud,
and sealed with his Seal.

* Captain Williams.

NUM. 3. L.

Translation of the Deposition of Doond Sing, Commandant.—The Deponent sworn before Chief Justice Sir Elijah Impey, November 26th 1781.

It appears from the Letter of Ram Sing Jemmadar, stationed at Mutcholi, that the Rajah Ajeet Mull, the Rajah Futteh Saw, and Genoo Roy, had engaged themselves to each other by Oath to cross the Rivers Gogra and Surjoo, for as much as they had received a Letter from the Rajah Cheit Sing, and the Sum of Fifteen thousand Rupees, to cut off the English in the District of Surwur, and drive them out; and Letters have arrived from Futteh Saw, to all the Zemeedars, great and small, to withhold the Collections, and not to pay a single Damm to the English; and the said Futteh Saw sent near Two hundred Men, with Matchlocks, into the Jungle of Burragong, and near to Kunkooa. After Three Days, the Three Rajahs crossed the River, and encamped in the Jungle; and it was reported from all Quarters, that the Zemeedars had shut up all the Ghauts on the Rivers, and sunk all the Boats; and I wrote an Account of these Things to Major Macdonald and Captain Williams, and told them that there were great Disturbances in the Country, and that there were Reports also that the Rajahs would cross the River. And I wrote these Things to Major Macdonald, that he might inform the Colonel that the Road to Banaris was shut up, for fear the Captain should march from that Quarter towards Banaris; it was also reported among the People, that Three Gentlemen had been killed at Banaris. After some Days the Captain arrived at Kunkooa, and after a Halt of Three Days, gave Orders for marching, and directed all the Sepoys to get ready, and about Nine o'Clock in the Morning on the Sixth of September, he marched, and came to the Bank of the River Khaukhi; it then rained excessively. When we arrived at the Khaukhi, the Captain ordered the Troops to be crossed over the River; agreeable to Orders, I crossed them over. When, after a thousand Distresses, we had crossed the River, the Captain said that there were many Rivers in the Road, and no Boats on any of them; that the Ghauts were shut up, and no Grain to be procured on the March for the People; how then would it be possible to pass the Guns and Troops through such a Country? It would be better, he said, to go to Banaris by Way of Buxar; therefore we again crossed the River Khaukhi, and encamped after marching Half a Cos from it. He (then) gave Orders for marching toward Khunkooa. Moving from the Khaukhi the Captain with the Troops arrived at Khunkooa; he then told all the Subadars and Jemmadars, that the Rajah Futteh Saw, with his Force, was posted on the Road, and that it was necessary to attack and drive him from thence; that he would halt a few Days at Nuddy Kaunoon, and then march toward Banaris. It was now known that the Sepoys of the Battalion had said, "Let them give us our Pay, and wherever they go, we will go with them;" to which the Subadars replied, "they might take it wherever they found it." The said Subadars neither confined those Sepoys, nor informed me of the Circumstance. I received the Information from Chaint Sing Jemmadar. The Subadar of Grenadiers stationed a Sepoy behind his Hackery, and told him, he might either protect and convey it to his (the Subadar's) House, or he might leave it to be plundered by the Country People. The Sepoy told him to set his Mind at rest, for that he would convey it safe to his Dwelling. At Night, after Twelve o'Clock, I made my Report to the Captain, who ordered me to go with Bukhtawur Sing, Subadar to the Sepoys, to satisfy and explain to them, that he would give them their Pay when they arrived at Burragong. In the Morning we marched a small Distance toward Burragong. First, a Sepoy pulled off his Coat, and drew his Bayonet on the Captain; the Subadars and Jemmadars did not interpose or check him; the Captain said, "I will pay this Sepoy and dismiss him—do you march on." I obeyed his Orders, and marched; but the Sepoys quitted their Colours and their Guns, and assembled at Khunkooa. The Subadars and Jemmadars said nothing (to prevent them). Seeing the Situation of Things, I directed the Jemmadar Kihaul Sing to take with him Twelve Sepoys, and go to the Captain, that he might know how Things were. After which, Orders from the Captain came, to return back and join him; I went back, and saw that the Sepoys had mutinied violently; that they had drawn their Bayonets, and were threatening the Captain; moreover, Three of the Sepoys loaded their Pieces to fire at him, and they demanded Four Months Pay; and most of the Sepoys said, "Let him pay us all our Arrears, and he may go where he pleases;" when the Sepoys had received their Pay, they said, one and all, "We will not go to Burragong; we will go to the Begum at Fyzabad; if she will retain us, we will stay; if not, we will carry the Gun (or Guns) to the Rajah Cheit Sing, and Saadut Ally Khan." The Sepoys, after this, directed the Subadars to tell the Captain to march; the Captain replied, That the Two Companies and the Gun stationed at Nuchlote were coming; he would march as soon as they had joined; the Sepoys said, "Let the Captain march, we shall meet the Companies on the Road;" however, the Captain halted till the Two Companies arrived; he then sent Hurdeaul Sing, Commandant, to the Sepoys, to tell them that the People (i. e. the Two Companies) were fatigued; that they should halt One Day, that those People might receive their Pay also; and then he would march. The Sepoys refused to listen to Hurdeaul Sing. The Captain then sent for the Two Subadars, and told them to go and persuade the Sepoys to make one Halt, that he might give the Two Companies their Pay. The Sepoys were prevailed upon to halt by the Subadars, and the Captain paid the People.

The

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The next Morning the Captain sent a Man to the Chucklahdar, and directed him to march also. He sent Word, that he was collecting Cattle for the Baggage, and that he would march as soon as he had got them; it was afterwards heard, that the Chucklahdar had given Twelve thousand Rupees to Futteh Saw—the said Rajah demanded Twenty thousand from the Chucklahdar, promising to protect him—And it was currently reported through the Country, that Saadut Ally Khan was the Nabob, and that the English Government was overthrown. After this we marched from Kunkooa; the Captain purchased Grain for the Sepoys; the Waters were out from the heavy Rain; and whoever loitered behind was plundered by the Villagers. When we arrived at Baunsi, we were obliged to halt Six Days on account of the Rains; after that we marched and arrived at Buskroreh, but there were many Rivers and Nullahs in the Road.

Doond Sing, Commandant, not knowing to write either Persian or Hindoo, has made his Mark.

NUM. 3. M.

Translation of the Deposition of Ahlaud Sing, Subadar, stationed in the Fort of Gooruckpoor:
—The Deponent sworn before Chief Justice Sir Elijah Impey, 26th November 1781.

I had confined under my Guard, in the Fort of Gooruckpoor, One hundred and Fifteen Burgomauls, Inhabitants of Surwaur. On the 15th of Ramzan, the Rajah of Gooruckpoor, the Zemeedars of Ouloolah, Bechouly, &c. &c. great and small, likewise all the Inhabitants of Gooruckpoor, with Six thousand Matchlocks, and great Numbers of Country People, armed with Clubs, at Four Gurries of the Night surrounded the Fort, and made an Attack by Surprise; but the Sepoys on Guard at the Bastions were awake; they began to fire, and an Action immediately followed. Seeing that the Country People were in great Numbers, I went to each of the Bastions, and encouraged the Sepoys, and called them to me into the Body of the Place, and formed them together. I left a Havildar and Ten Sepoys at the Rung Mahul, to protect the Baggage; but it was Night Time; the Country People made an Assault with Ladders, and entered the Fort, and both Parties fought resolutely. At this Time they placed Ladders against the Inner Fort, toward the South, and entered upon the Bastion: I seized an advantageous Opportunity (attacked) and killed Seventeen of the Enemy on the Bastion, and wounded several others. About Half after Ten at Night they made an Attack upon the Western Bastion: As there was a Straw Chupper on that Bastion, I took Shelter under it, and threw down, with all my Force, a Part of the Brick Battlement on the Enemy, by which Four of them were killed; One other fell by a Musquet Ball; and they retreated. A Third Time, about Three o'Clock in the Morning, the Country People raised a great Shout, and attacked us again: I was then engaged on the Inner Fort Bastion: Seubunse Havildar was posted, with Twelve Sepoys, to guard the Burgomauls; they rushed upon him in a Body, and Seubunse called out to me, with a loud Voice, that the Burgomauls had attacked him: I gave him Orders to put them all to the Sword; he instantly struck off the Heads of Eighteen Burgomauls, and threw them out, and he wounded several others. The Morning now broke, and I entertained a Hope that the Enemy would fly, and that the People of the Town would certainly join me; but the Country People, the Fougedar, &c. were all united with the Rajah; they lifted up their Arms, and said, The Doway* of the Nabob Saadut Ally Khan, and the Begum, has spread through the Country; for the Rajah Cheit Sing has destroyed all the English, and Letters have come to the Rajahs to put the Dependants of the English to the Sword, wherever they may be found: And he said, "Where will they go? the Country is mine; I am a Bhonear Rajah, how long will they (be able to) oppose me?" In such Discourse Two Gurries of the Morning had passed away. From the Eastern to the Western Gate, within the Mahul, they surrounded the Inner Fort on all Sides, and the Action was renewed. We continued engaged for Five Pahr (Fifteen Hours) with the Enemy, without tasting either Food or Water. At this Time, Furhaud Beg came from the Rajah Bhonear to make Proposals, of which he informed me by One of my People. The Havildar Superfaud said, "Perhaps the Rajah has sent him to support us; no Matter, let him be called;" so I sent for him, and he came up to the Gate of the Inner Fort, and when he saw me, he said to me, "You have no Masters; the English are all killed, and the Colonel and Mr. Gordon are confined by the Begum." I gave him insulting Language in Reply to this, and told him to tell this Story to the Sepoys who were with me; and he did repeat it, with a loud Voice, to the Sepoys; and said to them, "You have no Masters; give up the Burgomauls, that they may enter into the Rajah's Service, or go where they think proper." In Reply we said, "The good Fortune of our Masters is on our Side, and while we have Life we will fight; and we will not give up the Burgomauls." At this Juncture Selamut Khan Jemadar of Grenadiers, with Nine Sepoys, unexpectedly arrived in the Town from Nerownah: My People from the Inner Fort saw that a Company had arrived near to the Curwall's Chubbootre; they gave a loud Shout, and said, "A Company of Grenadiers is arrived from Kunkooa;" and their Spirits were raised; and we opened the Gate of the Fort, and Selamut Khan joined us. The Bravery and Resolution of Selamut

* The Acclamation of Appeal to the Sovereign Power.

Khan are not to be described. When the Enemy beheld the Arrival of Selamat Khan Jemmadar, they turned their Faces to Flight: I pursued them with my People through the Western Gate, and many of the Enemy were killed and wounded, and Numbers were killed and Numbers were drowned in the River; and, by the Blessing of God, we obtained the Victory. I returned into the Fort, and immediately secured Ferhaud Beg and Fyz-oolla Beg, who had come to make Proposals about the Burgomauls; I wrote an Account of the Whole of this Affair to the Colonel, and to the Captain*. After a few Days, an Order came from the Colonel to Munnowur Khan, directing, that if the Rajah Mustapha Khan had been put to Death, well; if not, strike off his Head. Munnowur Khan shewed me the Order. I said, "The Order is not written to me; I will write to the Colonel on the Subject." And it was understood from the Country People, that the Captain was marching towards Banaris, (but) that the Grenadier Sepoys had mutinied, and demanded their Pay; that the Captain gave them Three Months Pay, and proposed to them to march with him to Banaris: The Sepoys all answered, that they would go to Bungulla, and deliver up their Arms at the Gate of the Begum; in consequence of which, the Captain was obliged to give up his Intentions of going to Banaris, and return to Gooruckpoor; and he gave Orders, that the Head of Mustapha Khan should be struck off; and he was beheaded accordingly; and a Proclamation was made through the Town, that those who were guilty of such Crimes would meet with the same Punishment. The Captain halted for some Days, and brought up Grain for the Sepoys. At this Time, the Brother of Soobaun Sing, Pulwaun Sing, with a thousand Matchlocks, and others, Country People, was at Gooruckpoor; and they raised an Outcry, and said that the English should not remain in the Town, and they prepared for Action; so the Captain crossed the Raubty. A Bullock Man belonging to the Artillery, who returned into the Town to buy Fodder, they put to Death. Marching from thence, in Four Days the Captain arrived at Baunfy. The Ranny of Baunfy came to see him, but her Son prepared for Hostilities; he said, "They have struck off the Head of our Rajah at Gooruckpoor, and I will be revenged." We marched from thence; and the Rajah of Bulrampoor, with his People, had thrown up an Intrenchment across the Road; and he said, "It is the Begum's Orders, that you shall not march by this Road." With the greatest Hazard and Caution we marched from thence, and arrived at Koonda, and the Country People retired into the Fort.

This is a true Account which I have set forth.

Ahlaud Sing.

NUM. 3. N.

Translation of the Deposition of Denoo Sing, Subadar.—*The Deponent sworn before Chief Justice Sir Elijah Impey, November 26th 1781.*

On the 16th of Ramzan, an Order came to me from the Commander of the Battalion, that a Jemmadar and Sepoys belonging to the Company of Dut Sing were coming to me; that I should deliver over to him the Fort and the Gun, and the Burgomauls, and that I myself should march and join Mr. Gordon at Taundeh. On the 13th the said Jemmadar and Sepoys joined me at Dummooreah Gunge; and, being relieved on the same Day, on the 14th of the said Month I marched towards Taundeh. The Zemeedars and Villagers surrounded us all the Way from Dummooreah Gunge to Ruddouly, and they said, "The Government of the Colonel is at an End;" but they had not the Resolution to attack us. They also said, "The Rajah Cheit Sing has cut off the English Forces at Banaris; deliver up your Baggage, it is the Order of the Begum." In this Situation I replied, "The Baggage belongs to us, and we have Ammunition to defend it; if any one chooses to attack it, let him come." We lay the whole Night on our Arms at Ruddouly. We marched the next Morning, and arrived at Busty; but got no Intelligence of Mr. Gordon to enable us to join him. Ghuffoor Beg, Subadar of the Nabob's Artillery, told me that Bauboo Dhun Sing, with a thousand Matchlocks, had taken Post in the Jungle of Busty, and that he had moreover sunk all the Boats on the River. I halted Six Hours at Busty, searching after Boats; at last I procured a very small one, and when I was about to cross, the Subadar Bejy Sing arrived, after a March of Twenty Cofs, in which March a Sepoy and Three Horses were killed, and Four Sepoys wounded. Bejy Sing desired I would stop for Two or Three Gurry, till his People had ate their Victuals, for they had marched Twenty Cofs. At the Time that Bejy Sing's Sepoys had untied their Commurbunds [laid aside their Arms], the Country People, with Bauboo Dhun Sing, came and surrounded us in the Village of Busty; in consequence of which, I resolved to seize upon the Fort of Busty, and take Post there. The Subadar of the Artillery before mentioned, and others of the People, said, "Accounts have arrived from the Begum that all the English are cut off: Why will you seize upon the Fort and take possession of it?"—I desired the said Subadar to join and support me; he replied, "Whoever is appointed Aumil of the Pergunnah I will join him, I will not go with you." At this Time a Man arrived, and brought News, that Mr. Gordon was at Sunjur Ghaut, in the Pergunnah of Ruddouly; so I marched to Meer Gunge, intending to go from thence to the said Ghaut, and I sent a Sepoy, naked, to obtain Intelligence of Mr. Gordon. The said Sepoy returned, and brought Word that Mr. Gordon and the Subadars and Jem-

* Captain Gordon.

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madars were imprisoned at Taundeh by Orders from the Begum; that many of the Sepoys had deserted, and several had been killed: When I heard this News, and that the Ghauts on the River were shut, and that the Rajahs, with Six thousand Matchlocks, had surrounded Ahlaud Sing in the Fort of Gooruckpoor, with an Intention to set the Burgomauls at Liberty; I determined to march to Gooruckpoor: On the Road, News arrived that through the good Fortune of our Masters, all the Country People had been put to Flight, and that Ahlaud Sing had obtained the Victory; in consequence of which I went to Mukhur, and there I saw that all the Pergunnah Aumils of that Country had taken shelter in the Monument of Kubbeer Daus; from them I learned, that it was the Begum's Orders to cut off all those who were connected with the English in Surwar, wherever they might be found. I also heard that the Rajah Cheit Sing had destroyed all the English Troops, and that Three of the English had been killed; it was also reported, that the Authority of the Nabob Saadut Ally Khan and the Begum was established throughout all the Country. I marched from Mukhur, and arrived at the Fort of Gooruckpoor. After this a Letter came from Bauboo Ajeet Sing to Ahlaud Sing, to this Purport, "Deliver over the Burgomauls to me, and I will cause you to be conducted wherever you think proper to go; or (if you think proper) enter into my Service, for you have no Master; why will you give yourselves up to Destruction?" We and Ahlaud Sing sent a verbal Answer, That the Fortune of our Masters was on our Side; if he thought proper he might come; that while we had Life we would not give up the Burgomauls, but that we would put them all to the Sword. We wrote an Account of these Things to the Colonel, and received the following Answer, that we should maintain our Post in the Fort, and that we should march toward him with the Captain (when he arrived). It was now known that the Captain intended to march to Banaris by the Road of Nuddi Kaunoon; but that the Grenadiers had mutinied, and obliged him to return. It was also heard that Futteh Saw, and Genoo Roy, and Rajah Ajeet Mull, &c. had resolved to attack the Captain, because Letters had come from the Rajah Cheit Sing to all the Zemeedars, to this Purport, "Wherever there are Dependants of the English, kill and drive them out." It was moreover reported, that when the Captain marched to Kunkooa, on his Way to Banaris, the Grenadiers made a Disturbance, and demanded their Pay: That he gave Three Months Pay to the Sepoys, to prevail upon them to march with him to Banaris, but that those Cowards would not consent; they said, "We will not go to Banaris: We are the Servants of the Begum and Saadut Ally Khan; we will deliver up our Guns and our Arms at the Gate of the Begum."—Without Remedy, the Captain was obliged, by the Disobedience of his Troops, to march to Gooruckpoor, where we joined him; moreover Pulwaun Sing, the Brother of the Rajah Soobaun Sing, came with a thousand Matchlocks, and he and the Inhabitants of Gooruckpoor raised a Clamour, demanding that the Captain should march from thence, and they killed the Brother of the Chowdry of the Bullock Men, who went into the Town to buy Fodder. At this Time Half the Troops had crossed the Raubty, when the foregoing Accident happened; the Captain marched by the Way of Baunfy. After our Arrival at Baunfy it rained Six Days without Intermision. The Ranny of Baunfy came to see the Captain, but her Son stood prepared for Hostilities. After Six Days, we marched from thence to Purtaul Buckra, from thence to Dummoorea Gunge; marching from thence, we halted at Chunderdeep for Two Days; when we marched from thence the Captain went on in Front; Hurdeaul, Commandant, was in the Rear; a Skirmish ensued between him and the Country People; Two of them were taken Prisoners, and One was killed by a Musket Shot. We marched from that Place to the Nullah of Attroleh, Three Cofs to the Westward; we marched from Attroleh, and were opposed, near Bulraimpoor, by about Two thousand Country People; but when the Battalion and Gun were drawn up fronting them, they gave way and fled; the Road cleared, we marched, and encamped at the Nuddy Koaubeh; we continued there One Night, and marched to Gonedeh. When we arrived at Gonedeh, the Country People quitted our Rear. This is a true Account which is written.

Denoo Sing.

NUM. 3. O.

Translation of the Deposition of Ram Sing, Jemmadar.—*The Deponent sworn before Chief Justice Sir Elijah Impey, November 26th 1781.*

The Rajah Futteh Saw, and Genoo Roy, and Ajeet Mull, united themselves all Three together, and bound themselves by Oath; and these were the improper Resolutions which they had agreed to; that they would cross the River Gograh, and establish their own Authority there, for Letters had arrived from the Rajah Cheit Sing at Banaris, in which he said, "All the English are cut off; the Government of the English is overturned; I have taken Possession of the Country; do you, the Zemeedars, establish your Authority also in those Districts."—It was likewise publicly reported, that the Rajah Cheit Sing had sent Fifteen thousand Rupees in Specie to the said Zemeedars, to raise Men, and kill and drive out the Dependants of the English wherever they might be. It was also reported that Colonel Hannay and Captain Williams were in Confinement; the Rajah Futteh Saw came to inform himself of this; but not obtaining any certain Intelligence, returned, and determined to go to Kunkooa, to cut off the People and plunder the Place. At this Time the Captain returned from Lucknow, and arrived at Kunkooa. I also arrived at Kunkooa agreeably to Orders. In the Evening he informed all the Subadars and Jemmadars and Sepoys, that

they were to march towards Banaris the next Day. In consequence of which the Sepoys went to the Subadars and said, that they had no Money. The Subadars replied, their Pay was in the Sirkar, if they could get it they might take it. Early the next Morning we marched, the Companies faced to the Right. Four or Five of the foremost Grenadiers stepped out, surrounded the Captain, and said, "Give us our Pay and we will go with you;" the Captain replied, "You are only Four or Five Men, take (your Pay) and I will pay the Battalion when we arrive at Burrangong," which is only Eight Cofs from Kunkooa. The Battalion had gone on about a Cofs. On hearing the above, Numbers of Sepoys returned, and loaded their Pieces, and fixed their Bayonets, and pointed them at the Captain; in consequence of which, he recalled the whole Battalion, and told them to take their Pay and march with him to Banaris; to which they all agreed; but when the Captain had given them Three Months Pay, the Men who were the Mutineers raised a Clamour, (and said) "we will take our Arms and the Gun to the Chuckladar, and receive our Pay from him, for the Chuckladar is a Servant of the Begum's, and we also are the Begum's Servants, and Saadut Ally's." The Captain said to the Commandant and the Subadars, "I have paid them all, what then is the Cause of this improper Behaviour?" but what he said had no Effect upon them; however much he urged them to march to Banaris, they still refused, and only said, that they would go to Bungulla, and attend the Begum and Saadut Ally Khan; and that if the Captain attempted to escape, they would put a Guard over him, and deliver him up there. Without Remedy, the Captain marched this Way. That which was true has been written.

Ram Sing.

NUM. 3. P.

Translation of the Deposition of Hurdeal Sing, Commandant.—The Deponent sworn before Chief Justice Sir Elijah Impey, November 26th 1781.

The Servant Hurdeal Sing, Commandant of Major Macdonald's Battalion, gives the following Account. I was stationed in the Pergunnah of Beelpoor, in the District of Narrain Buttool, with Two Companies of Sepoys of Captain Williams's Battalion, Three hundred and Fifty Nejeeb and Sehbundy Men, and One Gun, and acted in the Business of the Sirkar agreeably to my Orders. From the 15th of Ramzan I received several Letters from Mahommed Shuffee Khan, the Chuckladar, and from the Captain, who were then at Kunkooa, to march speedily with my Force and join them, for that the Power of the turbulent Country People and Rajahs was become excessive. At this Time I collected together the People who were stationed at different Places; and on the 19th of the said Month, notwithstanding the Waters were very much out in the Road, I marched toward Kunkooa. When I arrived at Ram Kolah, which is about Fifteen Cofs from my Situation, I heard, from the general Reports of the People, that the Rajahs Ajeet Mull, and Futteeh Saw, and Genoo Roy, who had been expelled from their Zemeedaries, and resided with the Rajah Cheit Sing in the Country of Banaris, had all Three, by Orders from Saadut Ally Khan and Rajah Cheit Sing, marched from thence, and crossed the Gograh, and taken Possession of their Lands; and that the Rajah Cheit Sing had assisted the said Rajahs with Five and twenty thousand Rupees to drive out the English, [directing] that they should drive them and all their Dependants out of their Districts. When I came to the next Stage, I heard that the Grenadiers, who were with Captain Williams at Kunkooa, had mutinied, and confined the Captain, and cruelly beat his Moonshy; that they had got their Pay, and intended to go off to the Vizeer; and that no one attended to the Orders of the Captain. As the Companies with me had been informed of these Circumstances, I soothed and persuaded them not to think of acting in such a Manner; that Pay was never withheld or lost in the English Service; that they would receive every Daum of that which was due to them; but that it would be improper for them, at that Time, to act as others had done. The Sepoys assented to what I had said, and, notwithstanding the Opposition of the Country People on the Road, we arrived in Safety, and with the greatest Expedition, at Kunkooa, and attended the Captain and the Chuckladar, and I then saw with my own Eyes what I had before heard on the Road. The Captain said, when I went to him, "You have without Doubt heard how Things are here; what are the Intentions of the People with you?" I said in Reply, that the People along with me, both the Sepoys, the Nujjeeb, and the Sehbundy Men, had no other Intentions but those of obeying his Orders; and that he might, at all Events, make himself easy as to those Men. The Captain then said, "It was my Intention to have taken the Grenadier Companies, and the Two Guns, and to have marched to Banaris, and joined the Governor, by the Way of the Nuddy Kaunoon; and to have chastised the Three Rajahs, with whom we should have fallen in on the Road; but the Grenadiers would not consent to this; do you inquire of them what their Intentions are." Agreeably to the Orders of the Captain, I went at Night to the Line to the Subadars and Jemmadars and Sepoy Grenadiers, and asked what they wished for and intended. The Sepoys all replied, "If the Captain resolves to march to the Eastward, not one of us will go with him; moreover, we will march early To-morrow Morning to the Westward, to the Vizeer; whoever chuses to go that Way may accompany us." The Two Grenadier Subadars then told me to go to my Tent, for that these Matters the Two Companies had already talked upon with the Captain. I again endeavoured to prevail upon the Sepoys and Subadars, and told them to continue, and set their

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Minds at Rest; that I would go and speak to the Captain; that, if he approved of it, he would take them with him, and march to the Westward; that at all Events, it would be better to obey him. At last I soothed and appeased them, and went to the Captain and told him what had passed. After this, the Captain ordered me to go to Mahommed Shuffee Khan the Chuckladar, and tell him to prepare to march. I went to the Chuckladar, and delivered the Message; in answer, the Chuckladar, who had sent a Person named Munshan Ram, on his Part, to the Rajahs Ajeet Mull, Futteh Saw, and Genoo Roy, before mentioned, on a private Business, made the Want of Cattle for his Baggage an Excuse; and desired that we would halt Two or Three Days longer, and that he would then collect Beasts of Burden, and march. The said Chuckladar told me the next Day, and told the Captain also, that a Man of his was returned, and had brought Information, that Four Companies of Sepoys and Four Guns were come from the Rajah Cheit Sing, to the Assistance of the Rajahs Ajeet Mull, Futteh Saw, and Genoo Roy; and moreover, that they would cross the Gograh and join them that Day. At length, Two Days after my Arrival, our whole Force marched toward Gooruckpoor; and, notwithstanding the Rajahs and the Country People molested us on all Sides on the March, and the Waters and Nullahs were out, yet in Six Days we arrived in Safety at Gooruckpoor.—There I heard from the People, that Orders from the Begum had arrived to all the Rajahs of Pergunnahs, not to permit any English Gentlemen, or any of their Dependants, to pass in Safety through their separate Districts; and that they had surrounded Ahlaid Sing, Subadar, who was stationed with a few Sepoys in the Fort of Gooruckpoor; but that, through the good Fortune of our Masters, the Enemy was repulsed, and obliged to retire; that no English Letters, or others, or Hircarrahs, were permitted to pass; and that, if the Country People discovered any English Letters or others in the Hands of Hircarrahs, they scourged them with the greatest Severity. In consequence of these (Accounts) the Captain sent for me, and said, “The People have raised great Disturbances in the Country; beyond this no Grain will arrive, therefore we must buy Grain here, and carry it with us.” In the Space of Eight Days Grain was procured for the March, and Bullocks got together, and in Four Days, notwithstanding the heavy Rains, we crossed the Raubty, and marched towards Sukroreh: From the Day that we arrived at Baunfy, for Six Days, such heavy Rains fell, both Day and Night, that no one had the Power to stir from his Place. Without Remedy, we halted during that Time, and on the first Day that the Rain subsided we marched, and in Two Days arrived at Dummoorea Gunge. At that Place there was a Nullah in the Road, which was overflowed by the Rains and stopt our Progress; and we were at last obliged to halt there One Day to make a Bridge, over which the Troops were passed. While we were crossing, the Country People showed themselves, but were repulsed and obliged to retreat. We proceeded from thence the next Day, and March after March to Bulrampoor. As the River Kuwannah crossed our Way at that Place, we were obliged to halt there for One Day; at last we passed that River in Safety, and by repeated Marches arrived at Sukroreh. This Account, knowing it proper, is written according to the Truth.

Hurdeaul Sing,
sealed with his Seal.

NUM. 3. Q.

Translation of the Deposition of Bejy Sing, Subadar.—*The Deponent sworn before Chief Justice Sir Elijah Impey, November 26th 1781.*

On the 13th of Ramzan I received Orders from Mr. Williams to join Mr. Gordon at Taundeh, and to deliver over the Gun and the Burgomauls to Kaumdar Beg. Agreeably to Orders I delivered over the Gun and the Burgomauls to Kaumdar Beg, and set out. When I arrived at Naurood the Hooly Rejoicings had commenced; and the Country People gathered together on all Sides, and surrounded me. Making an Effort, I pushed on from thence about a Cofs; but the Enemy were now increased to a prodigious Number. Till Nine o’Clock at Night they continued to insult us; and when the Moon got up they began to fire with Matchlocks; and they said, “You have struck off the Head of the Rajah Juggut Sing; where will you go?—we will strike off your Heads in Return. It is the Orders of the Begum, that whoever strikes off and brings in the Head of an Englishman, shall receive a Reward of a Thousand Rupees; and for the Head of a Subadar or Jemmadar a Hundred Rupees; and for every Sepoy’s Head struck off and brought, that a Reward of Ten Rupees shall be given.”—The Attack continued through the Night; One Sepoy was killed, and Seven Men and Three Horses wounded, of my Party. The Country People said, “Give up your Baggage, and Arms, and Coats, and go naked where you please:” But I stood firm, and we fought with them, and marched on, Night by Night, to Baunfy, where we were quitted by the Enemy. Having joined Dhoon Sing Subadar at Baunfy, we marched from thence with him. This which is related is true.

Bejy Sing,
and sealed with his Seal.

NUM. 3. R.

Translation of the Deposition of Merun Moonshy to Mr. Gordon.—*The Deponent sworn before Chief Justice Sir Elijah Impey, November 16th 1781.*

I Merun, &c. considering God and the Prophet of God as present, do swear upon the sacred Koraun to the following Facts which I give in Writing:—That on the 7th of the Month of September, Mr. Gordon, with Four Companies of Sepoys, and a hundred Horse of the Ruffauleh of Ruzza Beg Khan, did march from the Ghaut Jehoorah for Taundeh; and at that Time, from our setting out till our Arrival at Taundeh, Thousands of Country People assembled together, and attempted to cut off the Troops and the Baggage; so that there was a continued Action, both with Swords and Muskettry, all the Way.—But as the Order of March was well regulated, and the Sepoys were not deficient in Firmness and Resolution, many of the Enemy were killed; and on this Side, not a single Article of the Property of any one was plundered; Mr. Gordon conducting them all, together with the whole of the Baggage, in perfect Safety to the Nullah of Teerah, which runs beneath Taundeh. On our Arrival there he intended to cross the Nullah, and encamp at Taundeh; and he gave Directions for the Troops to pass over. When they were about to cross, (it appeared that) all the Boats were on the opposite Side of the Nullah; and the People of the Taundeh Fougedar, whose Name is Shumsheer Khan, stood Guard over the Boats, and said, “It is the Orders of the Fougedar, that the Boats shall not pass over to that Side.”—When Mr. Gordon heard of this, he wrote a Letter to the Fougedar, and sent it by a Hircarrah. The Contents of the Letter were: “I am a Servant of the Nabob, and am going to join the Army by his Orders; where is the Propriety of shutting up the Ghaut, and refusing to permit People to pass?”—The said Hircarrah took the Letter, and went to the Ghaut, and endeavoured to get over, but the Fougedar’s People would not allow him to cross.—When I saw that they would not permit the Hircarrah to pass over, I gave Mr. Gordon’s Letter to a Servant of the Fougedar’s, who had swam over to our Side of the Nullah to see one of his Friends; and I told him to convey it, by some Means or other, to the Fougedar. He put the Letter in his Turban, and swam back across the Nullah, and delivered it to the Fougedar, who read the Contents, but returned no Sort of Answer. At the Time when the Letter arrived, Mirza Ruzza Beg Khan, Ruffaulehdar, who by chance had arrived alone on some Business, and had crossed over before this Affair, was sitting by Shumsheer Khan, and is an Evidence that the Letter arrived. The said Mirza declared to me, and confirmed it by Oaths, that the Letter came to the Fougedar when he was present; and that, although he endeavoured to persuade him, it was to no Purpose. At last he sent for Three Guns, and some Tomuns of Matchlock-Men, who were stationed at Taundeh; and he pointed the Guns across the Nullah at the Troops, and stationed the Men at the Ghaut, and ordered them not to permit a single Person to cross. In consequence thereof the Fougedar’s People stood at the Ghaut, and used insulting Language; and said, that if any one attempted to cross the River, they would fire upon him. When Mr. Gordon saw this, that no Answer to his Letter had come from the Fougedar, and that his People were inclined to Hostilities, he directed me to go and explain Things to Shumsheer Khan, and persuade him to desist from such improper Conduct. According to the Orders I had received, I went to the Ghaut, and demanded a Boat, and said that I was sent by Mr. Gordon to the Fougedar on Business, and desired that they would allow me to cross over alone; but they would not listen to me, or send a Boat to carry me over. Without Remedy, I returned to Mr. Gordon, and informed him of the Behaviour of the People at the Ghaut. He said, “If they will not give you a Boat, it is no Matter; mount an Elephant, and swim him over.”—I obeyed, and mounted an Elephant, and went and endeavoured to push the Elephant into the Nullah. The Fougedar’s People at once levelled their Pieces at me, and said, “Beware—if you drive the Elephant into the Nullah, we will fire upon you, and kill you.” Per Force I returned to Mr. Gordon: It was now almost Sunset. When the Country People saw this Affair, that the Fougedar of Taundeh was our Enemy also; that he had shut up the Ghaut, and would not permit us to pass, they charged us on all Sides. Our Sepoys seeing Thousands of the Country People assembled on one Side, the Ghaut shut up, and Shumsheer Khan disposed to Hostilities on the other; and being also much exhausted by the Skirmishing and Labour on the March, gave up their Resolution and Firmness at once; and throwing aside their Arms and their Coats, disposed themselves to Flight; and notwithstanding Mr. Gordon used every Means of Persuasion, both to the Sepoys and the Officers, no one either heard or obeyed him, until Mr. Gordon was left with only Ten Men and the Baggage; all the rest were fled. At this Time Cally Pershaud, a Bengaly of Mr. Scott’s, who was stationed at the Kooty, by a thousand Intreaties and Supplications, obtained an Order to send One Boat from the Fougedar, and sent it over. Mr. Gordon then saw that none of his People had remained with him; that continuing there alone was to no Purpose, and therefore was obliged to cross over. All his Baggage, and the Baggage of his Servants and Followers, was plundered; that which they carried over with them when they crossed, and delivered into the Hands of the Fougedar’s People, who promised to protect it, was afterwards taken by them, and never returned. Some Days

PART III.

Days after, some Firelocks were produced from the House of the Fougedar; and many of the People's Effects were seen there; but the Fougedar's Men did not deliver them up. In short, this is the Substance of the Affair which happened at Taundeh; and I have wrote this Account upon Oath, that whoever reads it may know it to be true. Written with my own Hand.

Moonshy Merun.

NUM. 3. S.

Translation of the Depositions of Meer Ahmud Ally, Subadar in the Battalion of Captain Williams, and Doond Sing, Subadar.—The Deponents sworn before Chief Justice Sir Elijah Impey, November 26th 1781.

We, Meer Ahmud Ally, Subadar in the Battalion of Captain Williams, and Doond Sing, Subadar of Grenadiers in the Battalion of Major Macdonald, do swear (one) upon the sacred Koraun, and (the other) by the Ganges, &c. to the (Truth of the) following Deposition, which we give in Writing: That on the 7th of the Month of September, Mr. Gordon, with Four Companies of Sepoys, and a hundred Horse of the Ruffauleh of Ruzza Beg Khan, did march from the Ghaut of Jehoorah toward Taundeh, and we (the Deponents) were along with him. From our setting out, till our Arrival at Taundeh, Thousands of Country People surrounded us on every Side, with Intention to cut off the Troops and the Baggage; so that we were continually engaged both with Swords and Small Arms the whole Way; but as the Order of March was well regulated, the Enemy could not succeed in their Attempts upon the Army. After skirmishing throughout the whole March, by which several of the Enemy were killed, we arrived in Safety, about Two o'Clock in the Afternoon, on the Bank of the Nullah of Teerah, which runs beneath Taundeh; after our Arrival there, Mr. Gordon wanted to cross the Nullah, and halt in Taundeh, and he gave us Orders to cross the Nullah. We attempted to pass over, but the Fougedar of Taundeh, by Name Shumsheer Khan, hearing that Mr. Gordon was about to cross the Nullah, prepared Three Guns, and Three or Four Tomuns of Matchlock Men, who were stationed with him, and posted them at the Ghaut, and they pointed the Guns toward the Troops of Mr. Gordon; and the Fougedar gave Orders not to permit a single Man belonging to that Gentleman to cross. Although Mr. Gordon wrote a Letter to the said Fougedar, it made no Sort of Impression upon him. At last the Evening came. It happened that Ruzza Beg Khan had arrived alone on some Business, before this Affair, and crossed over to Taundeh. The Cavalry belonging to the said Ruffauleh, before any one else, swam their Horses across the River, and fled. The Sepoys seeing Thousands of Country People advancing, on one Side; the Ghaut shut up by the Fougedar Shumsheer Khan, who would allow no one to pass, on the other; and that the Cavalry who accompanied them were dispersed and gone, gave up at once their Steadiness and Resolution, and taking off their Coats, and throwing down their Arms, turned themselves to Flight, until Mr. Gordon was left with only Ten or Eleven Men, for all the rest had fled. At this Time Cally Pershaud, Mr. Scott's Bengally, who resided at the Kooty in Taundeh, by a thousand Supplications and Entreaties, obtained an Order from the Fougedar for One Boat, which he sent over. Mr. Gordon was then alone on the Bank; he was forced to cross; and all the Baggage belonging to him and his Followers was plundered.

Meer Ahmud Ally, and Doond Sing.

NUM. 3. T.

Translation of the solemn Declaration of the Ranny Golaub Koor, made on the 12th Day of November 1781, before Chief Justice Sir Elijah Impey.

On the 27th of Shabaun, Sunday, the Chiefs who came to Ramnagur from Lutteefgur, appointed by Rajah Cheit Sing, were Mocundy and Ram Buksh, Bhemun Sing, and Cullian Sing, and Baul Kishen Huzzarry, and Sirdar Sing, a Follower of Ramjewun, and Ram Sheweh, a Follower of Ajayb Sing, and Dildar Hoossein Khan, and Nuzzur Ashriff, with their own Parties. On the next Morning, which was Monday the 28th of Shabaun, the above-named Chiefs had an Engagement at Ramnagur, with the Companies which came from the Fort of Chunar; at Two Pahr and a Half of the Day, ($\frac{1}{2}$ past One P. M.) those Companies were defeated, and the Intelligence was immediately sent to Lutteefgur; and at One Pahr of the Night, (Nine o'Clock) Bauboo Soojaun Sing having left Lutteefgur, with Gholaum Hoossein Khan, and Fyz-Oolla Khan, arrived that same Night at Ramnagur, when Two Gurries of it remained.

Tuesday the whole Day he was employed in Preparations, and in stationing the above-mentioned Chiefs, and in loading Bamboo Ladders on the Boats, and Guns upon the Pinnacle. And he gave Orders to the Chiefs and the Troops, that at Twelve at Night, on Wednesday, they should cross and attack the Governor General, and the other English Gentlemen who resided in Mehadow Daus's Garden. All the Inhabitants of Ramnagur, as well as I, saw and heard these Particulars.

(The Ranny's Signature.)

With respect to Cheit Sing's having, from of old, an improper Correspondence with the Begums at Lucknow, and the Rajah of Bheraich and Gooruckpoor, the Declaration of the above Ranny is as follows:

Since Two Years, ~~an~~ account of the Enmity of Cheit Sing to me, I had left Ramnagur, and resided in another Dwelling; and Cheit Sing had always acted towards me with such Enmity and Opposition as cannot be described; how, therefore, should he have acquainted me with his Correspondences?—but I have heard from Report, that he had in many Places improper Correspondences. However, it is very plain that he had Enmity towards the Governor General; because, whenever he learned any thing to the Prejudice of the Governor, from the Letters of his Vakeels, or the Reports of ill-designing Persons, he used to rejoice:—This is known to all the Inhabitants of Ramnagur. Accordingly, when the Governor General was lately coming from Calcutta towards this Quarter, the Rajah and his Companions used to say, “the Governor has been displaced, and is making his Escape to Hindostan.” Besides, from the Rajah's going to Buxar to meet him with the greatest Preparations his Intention plainly appears.

Ranny Golaub Kooer.

NUM. 3. U.

Translation of the Deposition of Gudgerauge Sing.—*The Deponent sworn before Chief Justice Sir Elijah Impey, November 12th 1781.*

I Gudgerauge Sing, the ancient Kelladar of Ramnagur from the Time of the deceased Rajah Bulwant Sing, do declare and give in Writing without Reserve (considering God to be present and a Witness) all that I have done, seen, or heard, to the following Effect:

On the Day that the Engagement happened between the Forces which came from Chunar and the Troops of Rajah Cheit Sing, I was in Readiness in the Fort of Ramnagur, with the Burkandazes with their Matches lighted. When the Chunar Army had been defeated, a Budgerow from the Westward came near the Ghaut of Buxey Suddanund. Having observed it from the Fort, I went out by the Wicket Gate, which is to the Southward, with Seven or Eight Burkandazes; the Rowers, and other People belonging to the Budgerow, on seeing this, leaped into the Water, and the Gentleman was killed by the Stroke of a Sword from the Men who accompanied me. About this Time I received Intelligence that the Rajah's Cavalry, who opposed the Chunar Army, had fled; upon this I was greatly confused, and was desirous of carrying the Budgerow under the Fort, but the People of Buxey Suddanund took possession of the Budgerow, and declared that they would keep it, as it had come to their Ghaut. Two Burkandazes brought from the Budgerow Two Muskets and some Cloths, and One of my People took One Musket, whilst the Burkandazes took more Cloth and Arms. From thence I went to my Charge in the Fort.

My further Deposition is as follows:

On the Night of the same Day that the Army from Chunar was defeated, about Two Ghurries of the Night remaining, Bauboo Soojaun Sing arrived from Lutteeegur at Ramnagur. I heard from several Persons, that the said Bauboo had given Orders to his Troops and Chiefs, to make a Night Attack on the Governor General and the other Gentlemen who were in Mahadew Dafs's Garden. Accordingly, he employed his Troops in bringing Bamboo Ladders, and loading them on Boats, and every one was preparing for the Attack.

I swear, that whatever is written in this Paper is true.

Gudgerauge Sing.

FOURTH PARCEL.

NUM. 4. A.

Affidavit of Captain Davy.

Captain William Davy, private Persian Translator to the Honourable Warren Hastings Esquire, Governor General of Fort William in Bengal, &c. &c. maketh Oath, and saith, That he understands the Language spoken by the Deponent, Hindoo Sing; and that he faithfully and truly explained to the said Deponent the Contents of the annexed Affidavit, in the Hindostan Language, being the Language of the said Hindoo Sing, before he the said Hindoo Sing had sworn the same.

Sworn before me, this 12th Day of
December 1781.

William Davy.

E. Impey.

NUM. 4. B.

Affidavit of Hindoo Sing, Adjutant at Buxar.

The Deposition of Hindoo Sing, Adjutant at Buxar, says, That the People under the Government of Cheit Sing gave many Proofs of Disaffection to the English—That about Two Months before

PART III.

before the Arrival of the Governor General at Buxar. Two Sepoys belonging to the Fort of Buxar obtained Leave of Absence, and did not return—That Soojaun Sing, the Brother of the Rajah Cheit Sing, took them into his Service, and made one of them a Havildar, and the other a Naick—That he received undoubted Information, which was afterwards confirmed by Desertions from the Garrison, that Soojaun Sing tutored the Two Deserters to entice away the English Sepoys from Buxar, promising to make them Havildars and Officers if they would enter into his Service; in consequence of which, Seven Sepoys deserted, and entered into the Service of the said Soojaun Sing; and that many more would have followed, but that proper Measures were taken to prevent them. The Deponent also says, That long before this, when Sir Eyre Coote was on his Way to Lucknow, Three Sepoys were sent to purchase Grain at Balleah, in the Country of the Rajah; that they applied to the Fougedar of the Place for his Assistance in purchasing the Grain; which he not only refused, but he caused them to be beaten almost to Death; that their Turbans and Bayonets were taken away; and that no Satisfaction could ever be obtained for this Injustice and Insult to the English Government, nor was the Fougedar called to Account for his Conduct. The Deponent further says, That when the Rajah came to Buxar to meet the Governor General, he had with him a Fleet of Boats, in Number Eighty or Eighty-five, on which were embarked, according to the Information which he obtained, Two thousand or Two thousand Five hundred Men, Sepoys and Matchlock Men, with Four Guns; that he came to, and encamped on, the Northern Side of the River, opposite to Buxar; and that he had several Bodies of Cavalry on the Road, on the same Side of the River—Says, that the Rajah came to see the Governor General; that he brought with him only Fifty or Sixty People, but that they were all his Relations and particular Friends, on whom he depended; and that they were all armed. The Deponent further says, That when Hostilities commenced between the Rajah and the English, the Sepoys and others who happened to be in the Rajah's Country, were all driven out, and the Road on both Sides the River so completely shut up, that no Individual could pass—That Four or Five thousand Matchlock Men were to be collected by Two Brothers, Deir Sing and Beir Sing, at Serinjah, agreeable to Orders from the Rajah; and that the said Rajah wrote Directions to the said Deir Sing and Beir Sing, and to the Kelladar of Serinjah, to reduce the Fort of Buxar, and to establish his Government in that Country.

The Deponent further says, That about Twelve Months ago Three European Gentlemen were attacked at Beerpoor, in the Country of the Rajah, about Five Cos from Buxar; that One of the Gentlemen was desperately wounded; that a Serjeant, a Jemmadar, and Fifty Sepoys, were sent from Buxar to seize the Zemeedar, but without Effect—That Complaints were made to the Rajah, but no Redress could ever be obtained.

Hindoo Sing.

Sworn before me (the Contents being first explained to the Witnesses by W. Davy Esquire, in the Hindostan Language) the 9th Day of December 1781.

E. Impey.

F I F T H P A R C E L.

NUM. 5. A.

Affidavit of Captain Davy.

Captain William Davy, private Persian Secretary to the Honourable Warren Hastings Esquire, Governor General of Bengal, &c. &c. upon Oath, saith, That he is acquainted with the Language spoken by the Persons who made the annexed Depositions; that he received said Depositions verbally, from each of said Deponents his separate Deposition; and that he has rendered them faithfully into English, to the best of his Knowledge and Judgment; and that he has faithfully explained to said Deponents, in their own Language, to each his proper Deposition, the Contents of said annexed Deposition.

Sworn before me this 3d Day of December 1781.

E. Impey.

NUM. 5. B.

Affidavit of Sheakh Mahommed Aumeen Meyher.

Deposition of Sheakh Mahommed Aumeen Meyher, late a Commandant in the Service of Cheit Sing.—Upon his Oath says, He was the Servant of Cheit Sing; that he commanded a Battalion of Eleven hundred and Fifty Sepoys in his Service; that he accompanied Cheit Sing when he went to Buxar to meet the Governor General; that there was with Cheit Sing at that Time, the following armed Force, Two hundred and Twenty-eight Sepoys under the immediate Command of this Deponent, Six hundred Matchlock Men under the Command of Seupersaud Sing, and Three hundred Peadahs, or Sword Men, called Huzzoory or Guards; that the above-mentioned Troops accompanied the Rajah in Boats; and that the said Rajah Cheit Sing was also attended by a Body of Six hundred Cavalry, under different Leaders; that the Cavalry marched down on the Southern Bank of the Ganges, and directed their Movements by the Motion of the Fleet of Boats in which the Rajah and his Infantry were embarked: That when the Rajah Cheit Sing arrived at Ghauzipoor, he was joined by Bullum Dafs the Aumil, and the Dewan Ruggoobur Dial; and that when he proceeded on from thence, a Detachment of Cavalry and Matchlock Men (stationary Troops at Ghauzipoor) in Number about Five hundred, accompanied the Rajah, marching along the Northern Bank of the River in the same Manner as the Troops on the opposite Side, moving when the Fleet moved, and halting when that halted; that the Rajah arrived, and encamped on the Northern Side of the Ganges, opposite the Fort of Buxar; that the Governor General arrived at Buxar the next Day; that the Rajah crossed the River, and waited upon him; that he returned to his Camp, and about Three o'Clock in the Afternoon put his People and Fleet in Motion, returning as he had went, and the Troops on the Banks of the River accompanying the Boats; that the Governor General proceeded the next Morning, and came up with the Rajah at Zemeneeah, about Twenty Cofs from Buxar; that the Rajah again waited on the Governor General on board his Boat, and that the Governor General then proceeded on before the Rajah, the Rajah following at the Distance of Four or Five Cofs, until they reached Banaris; that the Governor General went to the Garden of Mahadew Dafs, and the Rajah to Shewallah Ghaut, his armed People taking their Stations in their Neighbourhood; that his (the Deponent's) People did not arrive with the Rajah, but that he joined him with Fifty Sepoys, and took his Station near to Shewallah; that Two Companies of Sepoys also joined the Rajah from Ramnagar.—The Deponent further says, That on the Day that the Three Gentlemen and the Two Companies of English Sepoys came to the Rajah, and the Circumstance of his Arrest was known, the Rajah's People (who were then stationed round Shewallah) to the Number of about Four thousand, were armed and prepared for Action; that at this Time Munnihar Sing, Seuamur Sing, and Nunkoo Sing, went to the Rajah: That the Disturbance and Dispute at the Gate ran high, and increased every Moment: That the Huzzoories, Peadahs, and others, with their Arms, got upon the Chuppers which were erected against the Wall on the Outside; that the Matchlock Men fired upon a Company who were without Shewallah; that the Deponent counted Seven Matchlocks which were fired, and saw a Sepoy fall by the First Shot; that the Moment the Firing was heard, the Rajah's People forced their Way Sword in Hand into Shewallah, and cut the Gentlemen and Sepoys to Pieces; that the Rajah Cheit Sing escaped during the Conflict to Ramnagar, and from thence to Lutteefpoor.

The Deponent further says, That after the Detachment from Chunar was repulsed near Ramnagar and obliged to retreat, Soojaun Sing and the Buxey Suddanund arrived with Troops at that Place, and that by Orders from the Rajah they prepared Scaling Ladders, &c. in order to make a Night Assault on the Garden of Mahadew Dafs; that Boats were prepared, and Guns and Troops marched down to the Ghaut of Auli Sungum; that the Sepoys belonging to the Deponent refused to cross the River until they had obtained some Refreshment, having been without Food for Two Days; that the Night passed away without any Thing being done, and that the Governor General on that Night quitted Banaris, and arrived at Chunar; that Soojaun Sing and Suddanund Buxey wrote a Complaint to Cheit Sing against the Troops under the Command of the Deponent the next Morning; and that Soojaun Sing sent a Company of his own Sepoys to take possession of the Garden of Mahadew Dafs; that they plundered the Property of the Gentlemen at that Place, and returned to Ramnagar.

The Deponent further says, That the following is, to the best of his Memory, a true List of the Forces with Rajah Cheit Sing; those on the regular Establishment, those newly entertained, and those who came in to his Assistance.

PART III.

List of the Established Forces in the Service of Cheit Sing.

Cavalry, Sepoys, Matchlock Men, &c.					Number.
Cavalry	—	—	—	—	1,700
Body Guards, or select Troops, Cavalry and Infantry	—	—	—	—	700
Sepoys	—	—	—	—	1,150
Matchlock Men	—	—	—	—	1,800
Attached to Bullum Dabs	—	—	—	{Horses 300}	Total 800
				{Foot 500}	
With Soojaun Sing	—	—	—	Cavalry and Infantry	500
Sepoys and Artillery Men with Two Guns	—	—	—	—	340
With Munnear Sing	—	—	—	Cavalry and Infantry	700
					<hr/> 7,690

Troops entertained after the Arrival of Cheit Sing at Lutteefpoor.

First, entertained at Lutteefpoor	—	Matchlock Men and Sword Men	2,000
Second, — Nujeeb	—	Sword Men from Lucknow	1,000
			<hr/> 3,000

Troops assembled from different Places.

Infantry and Cavalry with Juggurdeave Sing	—	—	500
Matchlock Men arrived with Bukhr Sing, by Orders from Rajah	—	—	1,200
D° with Gooman Sing, sent for by the Rajah	—	—	500
D° from the Fougedar of Bidduw	—	—	1,000
Raujpoots of the Tribe of Kugbunsie from Kurtaukut	—	—	3,000
With Dillun Sing, Fougedar of Mukurun Baudshaahpoodmate	—	—	1,500
Cavalry and Infantry arrived with Ruzza Rool Khaun	—	—	300
Raujpoots collected from Agoree and Purwah by Dea Lutchoo	—	—	500
D° of the Tribe of Cummur collected by Soojaun Sing	—	—	1,000
Sword and Matchlock Men with Ranju Awun	—	—	2,000
			<hr/> 11,500

Total Troops in the Service of Cheit Sing — 22,190

To which are to be added Husbandmen and Adventurers who took up Arms, making the foregoing Number amount to near 40,000 Men.

(Signed) Sheakh Mahommed Aumeen Mhiur.

Sworn (the Contents being first explained to
the Deponent by William Davy Esquire)
this 3d Day of December 1781.

(Signed) E. Impey.

NUM. 5. C.

Deposition of Sheakh Hossain Oolla, Jemmadar, relative to the Action at Shewallah Ghaut, at which Period he was Havildar and Orderly with Lieutenant Stalker.

The Deponent upon his Oath says, He was one of those who attended Mr. Markham and Lieutenant Stalker when they went to the Rajah Cheit Sing at Shewallah Ghaut, with about Fifty orderly Sepoys, armed with Swords only; that a short Time after, Two Companies of Sepoys arrived under the Command of Lieutenants Scott and Symes; that Mr. Markham returned from the Rajah's with about Thirty of the Orderlies; that he, the Deponent, continued during the whole of the succeeding Transaction near to Lieutenant Stalker; that he saw Lieutenants Scott and Symes enter Shewallah with their Swords drawn, and shortly after observed Guards posted in different Places, from which he discovered for the first Time that the Rajah was in Arrest; that after the Departure of Mr. Markham there were present Messrs. Stalker, Scott, and Symes, with Seven or Eight Sepoys (Orderlies) attending just without the Apartment, where they were seated with the Rajah; that several of the Rajah's People, all armed, to the Number of Forty, were seated without the Purdahs; that Centries were posted round the Building; and that the Two Companies remained without the Inner Gate; that many of the Rajah's Peons, to the Amount of about Three hundred, were assembled in the same Place; that several Notes were sent off by Lieutenant Stalker, and One Note received by him; that about Twelve o'Clock at Noon the Rajah desired Permission to perform his Ablutions, which was refused, unless he would send for Water and perform them on the Spot, which he did accordingly; that before this Period, the Rajah's People between the Outer Gate and that which led immediately to the Building, made

Two different Attempts to force their Way through the Inner Gate, but were kept back by the Two Companies who were posted there; that Lieutenant Stalker once went himself to the Gate, and struck One of the Rajah's People, who was endeavouring to force his Way in; that the Rajah's People appeared to be highly irritated, and that the Subadars of the Companies found it necessary to fix Bayonets—Says, That Messrs. Scott and Symes accompanied Lieutenant Stalker on this Occasion, but that he, the Deponent, continued near the Rajah with Three or Four Sepoys, by Orders from Lieutenant Stalker; that he nevertheless saw what passed through the Stone Lattice, which surrounded the Building; that at this Period the Rajah sent his Buxey to forbid his People from making any Disturbance, and the Affair subsided; that the Gentlemen returned to the Rajah. The Deponent further says, That after the Rajah had finished his Ablutions, he retired to a Stone Pavilion, or Sort of Bastion, to perform his Devotions; that Three or Four orderly Sepoys were directed to attend him at a small Distance, to observe his Motions (the Officers continuing in their Places); that at this Period a Chubdar (named Cheit Ram) came from Mr. Markham, and delivered a Message to Mr. Stalker; and that the said Chubdar afterwards went to the Rajah Cheit Sing, who was still at his Devotions; that he appeared, by his Manner and the Loudness of his Voice, to be speaking insultingly and passionately to the Rajah; that at this Period a Report of Matchlocks was heard, and One of the Subadars, Bishen Sing, called out to the Officers, that they were fired upon by the Rajah's People from the Outer Wall; that the Gentlemen started from their Seats, and drew their Swords; that Lieutenant Stalker rushed forward toward the Gate, and that Lieutenants Scott and Symes attempted to follow him; that the Moment the Firing commenced from the Outer Wall, the Two Companies were attacked by the Three hundred Peons in the Space between the Two Walls with them; at the same Instant the Officers and their Orderlies were attacked by the Forty of the Rajah's People (said to be within the Building at the Beginning of this Deposition); that the beforementioned Subadar Bishen Sing forced his Way through the Inner Gate, with about Twenty Sepoys, to the Assistance of the Officers; that the Passage was soon stopped up by the Number of Dead and Wounded in the Gateway; that after the Communication was cut off, the Action still continued both within and without; the Two Companies still fired upon from the Outer Wall; that the Deponent saw Lieutenant Stalker defend himself with great Resolution with a Sword, which he had taken from One of his Sepoys; that the Deponent himself in a short Time received several Wounds, and fell; that he fainted, and therefore has no further Knowledge of what passed during the Remainder of the Action, or how the Rajah made his Escape; that when he recovered his Senses he saw Lieutenant Stalker lying dead near him, with many of the Sepoys; that he heard a Firing, which one of the Wounded told him proceeded from a Company of Sepoys, who were driving off the Rajah's Matchlock-men; that he, the Deponent, continued on the Ground the whole Night, but was removed the next Morning to the Garden of Mahadew Dafs.

The Mark of Sheakh Hossain Oolla, Jemmadar.

Sworn before me (the Contents being first explained to the Deponent by Will. Davy Esquire) this 3d Day of December 1781.

E. Impey.

NUM. 5. D.

The Deposition of Bishen Sing, Subadar, relative to the Action at Shewallah Ghaut.

Upon his Oath, says, That in the Morning of , Lieutenants Scott and Symes gave Orders that Two Companies of Grenadier Sepoys should be got ready; that the Companies were immediately paraded, and that the above Gentlemen marched with them to Shewallah, where the Rajah Cheit Sing resided; that Lieutenant Symes with One Company took Post within the First Gate; that the Company under Lieutenant Scott stationed themselves at the Inner Gate; that Lieutenant Stalker ordered him to post a Guard of a Havildar and Twelve Sepoys at the small Gate leading to the River, and another Guard at the Gate opening from thence into Shewallah; that he posted Guards as he was ordered, and that he sent out a Havildar to see what Number of Men were in the neighbouring Gardens and Cantonments, and what they were about; that the Havildar brought back Information, that the Rajah's People were all arming themselves, and loading their Matchlocks; that he communicated this Intelligence to Lieutenant Stalker, and added, that the Rajah's People were certainly preparing to attack them; that at this Period the Rajah's Buxey arrived; that he went in to Cheit Sing, and that he saw him make a Motion with his Hand as one striking with a Sword; that the Deponent saw this from the Inner Gate where he was standing; that Cheit Sing's People became turbulent, exclaiming on all Sides, that they (the English) had made their Rajah a Prisoner, and calling out to attack them; that he found it necessary to order the Sepoys to fix their Bayonets, and that he sent Information to Lieutenant Stalker, that they were about to be assaulted; in consequence of which, Lieutenant Stalker came out to the Place where Lieutenant Symes was posted with his Company; that Lieutenant Symes, pointing to the Rajah's People with his Hand, told Lieutenant Stalker, that those People were going

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going to attack him; that Lieutenant Stalker spoke to the Rajah's People, and returned, and that the Clamour in some measure subsided; that at this Juncture Munnear Sing, and his Son Nunkoo Sing, and Seumur Sing, arrived, and seated themselves by the Rajah; that at this Instant, an Hircarra brought Intelligence to the Rajah, that another Company of English Sepoys were coming from Murwarry, and that they were arrived near at hand; that at this Period, one of the Rajah's Matchlock Men fired at the Company which was advancing; that the Moment the Report of the Matchlock was heard, the Rajah's People within, who were alarmed, became very turbulent; the Noise and Confusion increased, and Lieutenant Scott came out and enquired into the Cause of it; that the Action immediately commenced within, and that Lieutenant Stalker called out to the Deponent to enter with his Company; that he attempted to obey the Orders which he had received, but that the Attack at that Instant began without the Inner Gate also; that it was no longer possible to enter with his Company; but that he nevertheless forced his Way in with about Twenty Sepoys; that Mohun Sing, Subadar, the Moulavy, and Cheit Ram (Mr. Markham's Chubdar), were first cut down; that Munnear Sing struck at Lieutenant Stalker with his Scymetar, but without Effect; that Lieutenant Stalker made a Thrust at Munnear Sing with his Sword, without Effect also; that Lieutenant Stalker threw the Sword from his Hand, and took a Scymetar from one of his orderly Sepoys, with which he continued the Action; that Nunkoo Sing afterwards made a Stroke at Lieutenant Stalker; that the Rajah's People, who were now assembled in great Numbers both within and without, charged the English Sepoys sword in Hand, and continued the Attack till Lieutenants Stalker and Scott, with all the Sepoys, were cut down; that the Deponent's Arm was struck off by the Blow of a Scymetar; that he received several other Wounds, and at last fell, and that he continued there among the Dead and the Wounded, until a Company of Sepoys came and carried off those who remained alive.

Bilhen Sing, Subadar.

Sworn before me (the Contents being first explained to the Deponent by W. Davy Esquire) this 3d Day of December 1781.

E. Impey.

[NUM. 5. E.]

Deposition of Ruggoobur Sing, Orderly Sepoy to Lieut. Stalker.

The Deponent (upon his Oath) says, He went with Lieutenant Stalker and Mr. Markham to Shewallah, where the Rajah Cheit Sing resided, and that he went with them into the Presence of the Rajah; that shortly after Two Companies of Sepoys arrived, with Two Gentlemen, whose Names the Deponent does not remember, being a newly enlisted Sepoy; that those Two Officers came in and continued with the Rajah and Lieutenant Stalker; that he the Deponent was directed by Lieutenant Stalker to attend, with Three other orderly Sepoys, in the Apartment where the Officers were sitting with the Rajah; that the rest of the orderly Sepoys remained without the Purdahs, which were let down in the Front of the Apartment; that he is unacquainted with what passed without the Gate, where the Two Companies were, or what People were there on the Part of the Rajah. The Deponent does not recollect, nor can he, he says, relate the Circumstances which passed before the Attack commenced; but in Reply to a Question put to him, Whether Mr. Markham's Chubdar, Cheit Ram, spoke to the Rajah? he says, that said Chubdar brought a Note to Lieutenant Stalker at the Time when the Rajah's People without were endeavouring to enter; that he delivered the Note to Lieutenant Stalker; that at this Time the Noise and Confusion at the Gateway was very great; that the Chubdar went from Lieutenant Stalker toward Cheit Sing, who was then sitting at the Place where he performed his Devotions; that he told him to order his People to desist; that he (the Chubdar) was Cheit Ram, and that the Rajah was but Cheit Sing; and that if he did not make his People desist, he would confine him—Says, He was an Ear Witness to the foregoing; that it was at this Moment the Firing was heard, and the Attack began; that Lieutenant Stalker's Hircarra had his Sword; that he called to this Deponent to give him his Sword, which he did, and stood behind Lieutenant Stalker by his Orders, with the Scabbard in his Hand, until that Officer fell; that he was soon after cut down himself; that he was deprived of Sense, and knows nothing of what passed afterwards.

The Mark of Ruggoobur Sing, Sepoy.

Sworn before me (the Contents being first explained to the Deponent by W. Davy Esquire) this 3d Day of December 1781.

E. Impey.]

SIXTH PARCEL.

NUM. 6. A.

Affidavit of Captain Davy.

Captain William Davy, private Persian Translator to the Honourable Warren Hastings Esquire, Governor General of Fort William in Bengal, &c. &c. maketh Oath and faith, That he understands the Persian Language, and that the Paper hereunto annexed, is a true and faithful Translate of the Persian Version of the original Hindoo Deposition, both hereunto annexed, to the best of this Deponent's Skill and Belief.

William Davy.

Sworn before me this 12th Day
of December 1781.

E. Impey.

NUM. 6. B.

Translation of the Deposition of Contoo Dofs, rendered into English from a Persian Version of the Original in the Hindoo Language, written by Bunny Mull Moonshy, according to the Interpretation of Bauboo Juggut Sing.—The Deponent, and the Writer of the Persian Translate, sworn before Sir Elijah Impey, one on the 2d, and the other on the 5th of December 1781.

On the First of the Month Ramzan, Wednesday, in the 23d Year, Bauboo Soojaun Sing, appointing Diaram Aumeen, sent him to Banaris; Diaram came, and made a Proclamation through the City, that whoever protected in his House the Dependants of the English, or the Property of the English, should be considered as a Criminal, and his House be seized.

Written by Contoo Dofs.

SEVENTH PARCEL.

NUM. 7. A.

Affidavit of Captain Davy.

Captain William Davy, private Persian Translator to the Honourable Warren Hastings Esq. Governor General of Fort William in Bengal, &c. &c. maketh Oath and faith, That he understands the Hindoostan Language, being the Language of the Deponents Dadjoo Sing and Gobindram Misser; and that he faithfully and truly explained to the said Deponents the Contents of the annexed Affidavit, in the Hindoostan Language, before they had sworn the same.

W. Davy.

Sworn before me this 22d Day
of December 1781.

Warren Hastings.

NUM. 7. B.

Affidavit of Dadjoo Sing and Gobindram Misser.

Dadjoo Sing, and Gobindram Misser, make Oath, according to the Practice of their Religion, and say, That about the 12th of the Month of Baudoon, the Deponent Dadjoo Sing received a Perwannah or Letter from the Rajah Cheit Sing, dated the 4th of the said Month of Baudoon; and that, about the 18th of the Month Kawwar, the said Deponent received a second Perwannah or Letter from the said Rajah Cheit Sing, bearing Date the 10th of the Month Kawwar; that both those Perwannahs or Letters were perused by the Deponent Dadjoo Sing, and shewn by him to the Deponent Gobindram Misser, who read them also; and that the said Perwannahs or Letters were immediately sent to Mr. Græme at Chuprah, by the Deponent Dadjoo Sing.

And these Deponents further say, That having perused the annexed Papers in the Hindoo Character, marked Num. 7 D and Num. 7 E, they are the same Perwannahs or Letters which the Deponent Dadjoo Sing received as aforesaid from the Rajah Cheit Sing.

Dadjoo Sing.
Gobindram Misser.

Sworn before me this 22d Day
of December 1781.

Warren Hastings.

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NUM. 7. C.

Affidavit of Captain Davy.

Captain William Davy, private Persian Translator to the Honourable Warren Hastings Esq. Governor General of Fort William in Bengal, &c. &c. maketh Oath and faith, That he understands the Persian Language, and that he received from Gomauny Lall, a Hindoo, who he believes understands both the Hindoo and Persian Languages, a verbal Interpretation in Persian of the annexed Papers, written in the Hindoo Language: And the Deponent further saith, That the English Papers hereunto annexed, are true and faithful Translations of the said Hindoo Papers, made from the verbal Interpretation in Persian of the said Gomauny Lall, to the best of this Deponent's Skill and Belief.

W. Davy.

Sworn before me this 12th Day
of December 1781.

E. Impey.

NUM. 7. D.

Translation of a Letter from the Rajah Cheit Sing to Dadjoo Sing, written in the Hindoo Language and Character.—This Version made from the verbal Interpretation of Gomauny Lall, a Hindoo Moonshy.

Complimentary Introduction.

Great Misunderstandings have come to pass between me and the English; I therefore direct you, with your People, to join me the Moment you see this Order; every Encouragement and Support shall be given you by me—Let your Mind be at Rest, and come with Speed.

Wherever you meet with either Europeans or Sepoys, plunder and cut them off—Consider this as particularly enjoined.

Written the 4th of the Month Baudoon.

Superscribed by Cheit Sing in his own Hand, "*The Contents approved.*"

The Cover directed to Dadjoo Sing, and sealed with the Seal of the Rajah Cheit Sing.

NUM. 7. E.

Translation of a Letter from the Rajah Cheit Sing, to Dadjoo Sing, written in the Hindoo Language and Character.—This Version made from the verbal Interpretation of Gomauny Lall, a Hindoo Moonshy.

Complimentary Introduction.

It appears that you are united with the English—I therefore write to you, that living as you do under my Protection, the taking part with them will be attended with bad Consequences to yourself.

I direct that, immediately on the Arrival of this Order, you join the Rajah Futtel Sing, and see the Enemy; in this only you will find your Advantage—Consider the above as most strictly enjoined.

Written the 10th of the Month Kawwar.

If you act according to these Orders, you will obtain Honour thereby.

[Superscribed by Cheit Sing] "*The above is strictly enjoined.*"

The Cover directed to Dadjoo Sing, and sealed with the Seal of the Rajah Cheit Sing.

EIGHTH PARCEL.

NUM. 8. A.

Affidavit of Colonel Blair, commanding the Fort of Chunar.

The Affidavit of Lieutenant Colonel William Blair, taken before Sir Elijah Impey, Knight, Chief Justice of the Supreme Court of Judicature at Fort William in Bengal.—This Deponent, on his Oath, saith, That on the 21st of August 1781, to the best of his Recollection, about 8 o'Clock in the Morning, and something near an Hour after he had issued Orders for the 2d Battalion of the 6th Regiment to cross the River, and march with all possible Expedition to Banaris, a Man was brought to him, who said he had some particular Intelligence to deliver; that upon hearing what he had to say, he acquainted the Deponent that he had left Ramnagur in the Night, and that it was there determined to attack the Fort of Chunargur the following

Night; he mentioned several of the Leaders Names, whom the Deponent does not remember, and said, that Ladders had been prepared at Pateeta for that Purpose, and that a considerable Force was expected to join those at Ramnagur. The Deponent further saith, That at the Time this Fellow gave him the above Information, he was going to the Beach to see the Battalion paraded, and to expedite the Boats; and that he saw the same Man upon the Road as he was returning from the River Side. Lieutenant Colonel Blair further saith, That a short Time before Dinner, on the same Day, another Man was brought to him with Intelligence, who was dressed like a Fakeer; he seemed a middle-aged Man, and appeared very solicitous for the Safety of the English: His Information corresponded with the former, as to the Time that the Fort was to be attacked; the Forces he said could not in all consist of less than between Twenty and Thirty thousand Men, with Artillery; that they were to be led on by the Rajah in Person, and were to come from Lutteespoor, Ramnagur, and Pateeta. The Deponent remarks, that this Man spoke so much more than merely answering Questions that were put to him, that this, joined to his seeming Anxiety for the Safety of the English, created in the Deponent's Mind great Doubts of his Veracity, though he did not totally reject his Information. The Deponent here observes, that this Man, and also the Person that delivered the first Intelligence, were perfect Strangers to the Deponent, and every Person about him; and that, among other Questions, he asked him what was his Inducement to come to him with such particular Information? to which he answered, That he was a poor Man and expected a Reward. The Deponent then told him, that if he called upon him next Day, he would most undoubtedly reward him accordingly. The Deponent further saith, That as far as he recollects, between Three and Four o'Clock the same Afternoon, he was observing the last of the before-mentioned Battalion crossing the River, his Jemmadar Hircarra came to him, and told him that it was the general Belief every where, that a large Army was upon the March, and it was supposed would reach Chunar that Night, and that vast Numbers of the Inhabitants were flying the Town; that he the Deponent warned the said Jemmadar Hircarra to beware of bringing or spreading false Intelligence, as he should answer for it with his Life; his Answer was, that he spoke nothing of himself. The Deponent, after having seen all the Battalion across the River, and begun their March, ordered the Jemmadar Hircarra to attend him to Camp. That as the Deponent was on the Road, he met a young Man seemingly much out of Breath, but could not understand what he had to say, till he reached the Camp, when he called Captain Blair to interpret for him. The Information this Man gave was, that he was an Inhabitant of Pateeta, and used frequently to come to Chunar upon his own Business; that the Deponent's Jemmadar Hircarra knew him, which was acknowledged by the Jemmadar himself. He said, that when he left Pateeta, there was about Six thousand Men getting ready to march towards Chunar, and that he understood that a very large Body was to follow from Lutteespoor. The Deponent further saith, That, upon reflecting upon the various Intelligence he had received through the Day, he thought it necessary to acquaint Captain Sparks and Captain Blair with his Apprehensions of an Attack being made that Night; that he the Deponent saw Out-posts placed, and gave every necessary Instruction to prevent a Surprise, and to oppose the Enemy with Vigour, as he was conscious that every Thing depended upon being able to keep the Field. The Deponent after this, when the Troops were turned out at Roll-calling, directed Captains Blair and Sparks to thank their Men in the Name of the Governor General for their late gallant Behaviour at Ramnagur, lamenting at the same Time the great Loss that they had sustained by being imprudently led into a Place where they could not act, but that he the Deponent was confident they could in the fair Field beat any Force that the Rajah could bring against them; that the Men expressed a perfect Confidence and Readiness to oppose the Enemy if attacked, and the Chasseurs expressed the greatest Eagerness to embrace the first Opportunity of revenging the Death of their Companions and Commandant; and they remained upon their Arms all Night with the utmost Cheerfulness. The Deponent further saith, That when the Governor General arrived at Chunargur next Morning, and that he was told the Danger that threatened him and all the other Gentlemen at Banaris, which he was perfectly ignorant of before, it then crowded on his Mind, as no Enemy had made the least Attempt either upon the Camp or Fort, that all these Pieces of Intelligence, which had been brought in the Day before, were entirely calculated for the Purpose of detaining the Troops from being sent to Banaris, and thereby favouring the Design of attacking the Governor and Gentlemen there; and the Deponent says, that he is the more induced to this Belief, as he was not able next Day, or any Time since, to find the People that brought the Deponent this Intelligence, though every Endeavour was made to discover them.

W. Blair.

Sworn before me this 2d Day of
December 1781.

E. Impey.

NUM. 8. B.

Affidavit of Captain M'Dougall.

The Affidavit of Captain Patrick M'Dougall, taken before Sir Elijah Impey, Knight, Chief Justice of the Supreme Court of Judicature at Fort William in Bengal. This Deponent, on his Oath, saith, That on the Evening of the 21st of August last, after having crossed the River with his Battalion, in order to march to Banaris, agreeable to Colonel Blair's Orders, several People came and acquainted him, that there were Two thousand armed Men posted in the Neighbourhood of Beety-bur, to oppose his marching to Banaris; and not doubting this Intelligence to be well founded, and Night approaching, took every Precaution to guard against a Surprise, and oppose the Enemy; but meeting with no Opposition on his March there, or returning to Chunargur, therefore concluded the Information to have been groundless.

Sworn before me this 2d Day
of December 1781.

Patrick M'Dougall.

E. Impey.

NINTH PARCEL.

NUM. 9. A.

Affidavit of Nathaniel Middleton Esquire.

Nathaniel Middleton Esquire, on his Oath, saith, That he left Lucknow on the 19th August 1781, and joining the Nabob Vizeer at about Ten Cos distant, proceeded with him towards Banaris, with an Intention to meet the Governor General, who was expected shortly at Lucknow: That about Three or Four Days after his Departure, he heard of the Disturbance at Banaris, and of the Massacre of Three European Officers, with a Number of Sepoys, at the Instigation of Rajah Cheit Sing, which prevented the Governor General's setting out for Lucknow, as he had intended; and on his Arrival at Doudnagur, on the 24th of the same Month, he received imperfect Accounts, through the Channel of the Vizeer's public Intelligence, of the Retreat of the Governor General and his Party to Chunargur; and the same Account, as well as many others, set forth, that the Rajah Cheit Sing had issued his most positive Orders to all the Zemeedars and Officers of his Government, to put every European to Death that they could lay hold of; to seize and severely punish any Natives who should be found in the Service of or connected with the English; and in general, to use every Means in their Power to promote an Insurrection throughout the Country; for which they should be liberally rewarded: That he had also written Perwanahs, or Letters, to many of the Zemeedars of the Vizeer's Country, encouraging them to raise Disturbances in their respective Districts, and to assist him with Troops, for which he promised them large Sums of Money: That this Report was made to him repeatedly, through various Channels, and implicitly credited not only by himself, but he firmly believes by the Vizeer and every Man in his Retinue: That in consequence of these Occurrences, the Vizeer, who had left Lucknow with a very small Force, determined to wait for Reinforcements before he proceeded; and accordingly, summoning his Troops from all Quarters, halted at Hussanpoor until they joined him: That on the 31st of said Month he, this Deponent, in Company with the Vizeer, left Hussanpoor, and proceeded towards Chunargur: That on his Arrival at or near the Village of Gopee Gunge, he heard from several different Persons, whose Names he does not at present recollect, that a Number of dead Bodies were seen, some in a Well situated near the Road Side, and others lying on the open Plain, partly covered with loose Earth, or Sand, that had been thrown over them: That these Bodies were supposed and generally believed to be the Bodies of Dauck Hircarrahs, and other Travellers dependant on the English, who had been seized and murdered in consequence of the afore said Orders of Rajah Cheit Sing: That this Deponent did not see the Bodies, but had not a Doubt of the Truth of the Story, as it was mentioned by several Persons at the Time they were passing the Place, and afterwards by others who had stopped to see them: That in a small Mud Fort and Village near the Place where the Bodies were discovered, he, this Deponent, heard from Almas Ally Khan, a principal Farmer of the Nabob Vizeer's Revenue, that there were several hundred armed Men assembled in the Service of Rajah Cheit Sing; but for what particular Purpose he did not learn: That some Days after his (this Deponent's) Arrival at Chunar, he was informed by Two Hircarrahs, who brought him an Express from the Aumil of Illahabad, that in passing through Gopee Gunge they had seen the dead Bodies of Two Europeans, who they supposed had been murdered by the Inhabitants of that Place: That he heard at the Time, and believed, and does still believe, that much Encouragement, and some actual Aid in the raising of Troops, was given Rajah Cheit Sing by Behar Ally Khan and Jewar Ally Khan, the Two principal Eunuchs and Counsellors of the Vizeer's Mother at Fyzabad; and that their Conduct, as well as that of their Dependants, during the Continuance of the Disturbances at Banaris, manifested a strong Disaffection to the English: That he further
heard

heard from his own News-writer stationed at Fyzabad, that a Vakeel, or Agent, from Rajah Cheit Sing had been received at that Place, and allowed to remain under the Protection of the said Eunuchs; but for what particular Purpose, or what was the Nature of his Commission or Negotiations, this Deponent has not been able to discover.

Nathaniel Middleton.

Sworn this 27th Day of November 1781, before me,

E. Impey.

NUM. 9. B.

Affidavit of Lieutenant Colonel Alexander Hannay.

Alexander Hannay Esquire, Lieutenant Colonel, commanding a Corps of his Excellency the Vizeer Assof-ud-Dowlah's Sepoys, on his Oath, declares, to the best of his Remembrance and Belief, the following Circumstances respecting the State of the Country he was stationed in, and the Reports that prevailed there during the Months of September and October 1781:—That, in obedience to Orders he received from his Excellency the Nabob Vizeer for that Purpose, on the 28th of August 1781, he issued Orders for forming a Detachment, consisting of One thousand Sepoys, Four Guns, and Five thousand Horse, from the Troops under his Command, to assemble at Akberpoor, on the Road leading to Jowanpoor: That Eight Companies of Sepoys, Two Guns, and about One hundred Horse of the said Detachment, were ordered to cross the Gogra at the Chowra Ghaut, and proceed to Akberpoor: That Two Companies of Sepoys, Two Guns, and the Remainder of the Horse, were ordered to cross at Fyzabad, and encamp on the Rumna until the Arrival of the Deponent, who was from thence to march them to Akberpoor, the appointed Rendezvous of the Detachment: That the Deponent arrived at Fyzabad on the Evening of the 7th of September, with the Intention of pursuing his March to Akberpoor the next Morning; but was detained, from the Horsemen having been seduced into the Town, where they were tampered with by the Servants and Agents of the Begums to decline proceeding further with him: That the Subadars of the Two Companies of Sepoys represented to him, that Guards were placed (said by the Authority of the Begums), to prevent the Sepoys, or any one connected with the English, from entering the Town; and upon Enquiry, it appeared that such Representation was true: That the Deponent learnt from various, and what he deemed Information to be depended on, that the Agents of Rajah Cheit Sing were publicly suffered to raise Troops in Fyzabad; and that the Eunuchs of both Begums encouraged the People to enter into his Service, particularly Jewar Ally Khan, who was represented to have gone into the Chouk for this Purpose: That the Deponent was credibly informed, that Two or Three Days before his Arrival at Fyzabad, a Man named Sheakh Khan, had marched from thence, in order to join Rajah Cheit Sing, with about a Thousand Horse and Foot, and that several other Detachments had before proceeded from thence with the same Design. These Transactions were of so public Notoriety, and so generally believed, that the Deponent deemed it his Duty to represent their Impropriety to the Bow Begum*, but could obtain no Answer. On the Evening of the 8th of September, the Deponent received a Letter from Lieutenant Gordon, who was on his March to join him at Akberpoor, informing him that he had been attacked on his March from Chowrah Ghaut by great Bodies of Men, assembled to oppose him; and that on his Arrival at Taundeh, the Conduct of Shumsheer Khan, the Begum's Aumil of that Place, had effected the Loss of his Detachment, as appears from the following Copy of his Letter to the Deponent, relating the Circumstances of that unhappy Disaster.

Copy of a Letter from Lieutenant John Gordon to Lieutenant Colonel Hannay, dated at Taundeh, the 10th of September 1781.

“ I had the Honour to write you on the 8th Instant, acquainting you with the Disaster which happened to my Detachment; and I now beg leave to lay before you the Particulars of that unfortunate Affair.

“ When I crossed the Gogra, on the 6th, at Chowrah, with the Four Companies of Sepoys, and about Eighty Horse (in all near 400), I saw that the Country was disaffected: My Force, however, I judged to be quite sufficient to join you at Akberpoor; indeed, I did not conceive that his Excellency's Troops, marching to join him by his Order, could meet with any Interruption.

“ On the 7th, at Day-break, I marched; and about Half a Mile from Chowrah, when crossing a Nullah, where I had sent Boats Qvernight, I observed great Bodies of Men assembled to oppose my March: I immediately made what I judged to be the best Disposition of my small Corps; and the Behaviour of the Men did them great Credit; for though during the whole of the March of Eight Co's, we were attacked, and often surrounded, by incredible Numbers of People, yet we constantly beat them off, killing and wounding many of them; and

* The Nabob Vizeer's Mother, called in the Narrative Navaub Allca.

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" arrived, with very little Loss, about One o'Clock in the Afternoon, at the Teerea Nullah, which runs by Taundeh, bringing the whole of our Bazar and Baggage in the most complete Safety. I now imagined myself in a Friend's Country, and intended crossing the Nullah, that my People might halt for the Day, and refresh after their fatiguing March: For this Purpose I ordered my Bazar and Baggage to be sent over, and Part of the Sepoys to stand to their Arms: A great Number of our Enemies were still in Sight; but judge of my Surprise, when I was informed that the Boats were all on the other Side of the Nullah, and that none of them were permitted to cross. I immediately wrote to the Begum's Aumil, Shumsheer Khan, acquainting him, that I was marching with the Vizeer's Troops, by his Orders, to join him; that I was astonished at his stopping the Ghaut, and desired he would send Boats for the Transport of my Detachment. To this no Answer was made; but immediately Three Guns were brought near the Ghaut, and pointed to us; and a Number of Nujeebs were posted on the Banks of the Nullah, who threatened to fire if any Body passed. It is proper to remark here, that near the Ghaut there were a great many large Boats belonging to Mr. Scott, whose Gomastah, notwithstanding his most earnest Entreaties, was prevented from sending them by Shumsheer Khan; and even the Plunder of his Factory and his Life were threatened, if he attempted it.—When I found this to be the Case, I took possession of a very strong Ground, surrounded on Three Sides by the River and Nullah; on the Fourth Side, where only I could be attacked by the Country People, I ordered the Sepoys to make a Breast-work, by piling up Planks, of which there were a great Number; and as I had Ammunition and Provisions, I intended to wait there until I could procure Boats, or discover a Ford. While I was thus employed, I found that Mahommed Ruzza Beg, the Jemmadar of Horse, had swam across the Nullah, and procured Permission for his People to follow him, which they immediately did. No Answer coming from the Fougedar, I desired my Moonshy to go to him, and explain the Matter; he accordingly went to the Ghaut, and demanding a Passage, he was refused, and insulted in Terms the most opprobrious to the English. He returned; and telling me this, I ordered him to take an Elephant and swim over; but when he attempted to enter the Nullah with the Animal, the Nujeebs pointed their Matchlocks at him, and obliged him to desist: The Sepoys seeing this, and that the Horsemen were permitted to swim across, naturally imagined that the Objection was to the English only, and their Adherents; they thought it safest to abandon me, whom they must have concluded to be devoted, and, throwing down their Coats and Arms, they followed the Example of the Horsemen in swimming across the Nullah, making a Merit with Shumsheer Khan of giving me up to my Fate. One of the Subadars represented to Two others the Folly of their suffering for One Person; and proposed to them to deliver me up to Shumsheer Khan, or to the Country People; but this Proposal they rejected with Scorn: The Desertion however was almost complete; for in a little Time, of the Four Companies, not Twenty Men remained, including Officers. It was now almost Evening, when Mr. Scott's Gomastah, with great Difficulty, at last obtained Permission from the Fougedar to send One Boat; but it came too late to render any effectual Service; for with the few Sepoys who remained, Command was at an end; and, as most of my Servants had gone off, my Baggage was left a Prey to the Badditti, who soon carried off and destroyed it. Some Things, which a few of my Servants brought with them, they gave in Charge of the Fougedar's People, to take care of them; but they reserved them for themselves, or rather for the Fougedar; and though many of my Things were seen in his House, I never could recover a single Article. I am still in Mr. Scott's Factory, which there is every Reason to think will be attacked, as Numbers of People are assembled in the Neighbourhood for that Purpose; and as the Fougedar positively refuses to grant the least Assistance, God knows what may be the Consequence: However, as it is evident that Shumsheer Khan was the sole Cause of this Disaster, I hope that exemplary Punishment will be inflicted on him, and if I survive I doubt not but I shall be reimbursed for what I lost by his Villany.

" I have the Honour to be, &c.

" J. Gordon, Lieut."

The Deponent further saith, That both from Observation and Information, he doth believe that a general and universal Insurrection took place, before the 15th of September, in all the Country to the Eastward of the Gogra, from Mangee to Baraitch, and on its Western Banks from the Borders of the Banaris Districts to the Extremity of Kheirabad; that it was created and fomented by the Agents of Rajah Cheit Sing, disaffected People at Fyzabad, and about the Vizeer's Court; and that the Expulsion of the English was its Object. In the Districts of Gooruckpoor, and indeed in all the Pergunnahs below Fyzabad, it was generally asserted, and the Deponent never heard the Assertion contradicted, that the Rajah Cheit Sing furnished the principal Zemeedars, particularly the Rajahs Futeh Saw, Genoo Roy, Ajeet Mull, Zalim Sing, and Perty Pall Sing, with considerable Sums of Money, in order to subsist the Force they collected on this Occasion; and that he granted them ostensible Certificates under his Seal, engaging to discharge whatever Expence they might incur in the Service of the Insurrection. These Certificates and Perwannahs they received, or pretended to have received, under the Seal of the Vizeer, confirming them in their hereditary Zemeedaries; and appointing them

Aumils on the Part of the Sirkar in their respective Pergunnahs, gained them an unbounded Influence over the Inhabitants. The Aumils of the Country in general were obliged to fly from their Stations; the Nujeebs and Sebundy joined the Insurgents, or dispersed; all Ferry-boats were sunk or destroyed; many of the Dauck Hircarrahs were slain, and the rest obliged to fly, which effectually cut off all Correspondence, as well as Communication, and the Country remained in a State of Distraction which cannot well be described, until the Beginning of October; when the News of our Success at Banaris, and the Nabob's Return to Lucknow, calmed the Tumult.

Sworn this 26th Day of November
1781, before me,

Alexander Hannay.

E. Impey.

NUM. 9. C.

Affidavit of Major M'Donald.

John M'Donald, Esq; Major commanding the Nabob Assof-ud-Dowlah's Third Battalion of Sepoys, on Oath saith, That he the Deponent was stationed at Amora, to assist the Aumil in collecting the Company's Tunka, also to protect the Subjects of his Excellency the Vizeer from the Depredations of Zalim Sing, the Rebel Rajah of the aforementioned Place Amora, also the Attacks of others his Adherents: That the said Deponent had been detached by Lieutenant Colonel Hannay, some Time in February 1780, with a Body of Horse and Foot, in Pursuit of the above-mentioned Rajah Zalim Sing, who, besides sequestering the Rents of the Pergunnah, had compelled the Inhabitants to quit the District; and further, wantonly, and without Cause, murdered Two of the principal Cannoongoes of the Pergunnah aforesaid. The Deponent could not come up with the flying Rajah, but followed him until he took to a large Jungle, that bounded the Country of the Vizeer to the Eastward, and is the Westermost Limit of the Zemeedary of Cheit Sing, Rajah of Banaris. Zalim Sing was there received in the most friendly Manner, and Protection promised him. On this, the Deponent sent proper Spies to watch the Motions of Rajah Zalim Sing, and returned himself with the Troops to his Station at Amora: That the Deponent learned by the Spies left about Zalim Sing, that he was allowed to reside openly under the Protection of Cheit Sing, and had Villages, also Lands, assigned for the Maintenance of himself and Followers.

About the Twentieth of August last, the Deponent was informed, Cheit Sing had, after putting to Death Three English Officers and Two hundred and Fifty Sepoys, fled from Banaris, and openly set up the Standard of Rebellion, inviting all Persons, who could procure Arms, to repair to him, and by fighting under his Banner, extirpate the Fringies. The Road by which the Post usually travelled from Banaris, became impassable from the numerous Parties, it was said, Cheit Sing had sent out, to cut off all Communication betwixt the Honourable Governor General and the different Stations of the Army. As the Deponent could not obtain any authentic Account of the State of Affairs, he thought it best to send out Persons to all Parts for Information, that he might judge from the State of the Country how Matters stood at the Place of the greatest Moment. The Country of the daring Rebel Cheit Sing, and the City of Fyzabad, seemed to the Deponent the most likely Places to furnish the wished Intelligence. In the latter Place it was reported, first, that the Honourable Warren Hastings Esq; had been massacred at Banaris; then, that he had been cut off on his Way to Chunar; at last it was said the Honourable Governor General was in Chunargur, but must soon fall into the Hands of the Banaris Rebel, as no Relief could possibly reach the Place in Time to save it; and that shortly the Destruction of every Englishman in these Parts would be effected. From the Banaris District the Deponent learnt, Cheit Sing had summoned the Zemeedars of his Raje to join him with all the Troops they could raise, promising present Pay to those bearing Arms, and a Remission of a Year's Rent to all who repaired to his Standard. Many Rebels who had fled the Company's and Nabob's Territories, and taken Refuge in his Zemeedary, were furnished with Money, and joined by such Zemeedars, belonging to the aforesaid Banaris Rebel, as lay too far distant from the principal Scene of Action, to make a Diversion both towards the Company's Lands and those Parts of his Excellency's Dominions under the Charge of English Officers, and endeavour to cut them all off, and thereby prevent any Assistance being sent from either Goo-ruckpoor or Bahraich. His Excellency the Vizeer repaired to Sultanpoor, about this Time, which prevented the Rebel Zalim Sing, also Perty Pall Sing, the Rebel of Busty, from quitting the Jungle; but they were busy in making the necessary Preparations, by raising of Men, with the Money said to be sent them by Cheit Sing in Fyzabad: The Khajahs * of the Vizeer's Grandmother, as well as those of the Bow Begum, were raising Men under various Pretences, and making every Preparation that might be necessary either for offensive or defensive War. During the Time the Nabob lay encamped at Sultanpoor, the Deponent's People were insulted and ill used in Fyzabad, by the Peons, Sepoys, and other Servants of Jewar Ally Khan and the Two Begums, as were all who made use of the English Name, or were supposed to have any Con-

* Eunuchs.

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nection of the Kind; but on its being known there that his Excellency had moved towards Chunar, no one who was a Servant of the English could get Assistance into the City but by Stealth, or in Disguise; even the Duack from Lucknow was not allowed to pass through as formerly, but obliged to make a large Circuit, and the Hircarrahs put on different Appearances to pass unnoticed to Amora. After the Departure of the Nabob from Sultanpoor, as before mentioned, the Rebels, who had been driven from the Province of Gooruckpoor, began moving towards the Gogra. The Zemeedars of Amora, where the Deponent then resided, also those of the adjacent Pergunnahs, held frequent Meetings, and seemed big with some great Plan. On or about the 29th of August, the Deponent received a Letter from Lieutenant Colonel Hannay, informing him, that his Excellency the Nabob had written to him (Colonel Hannay) to join him immediately with a thousand Sepoys, Four Guns, and Five hundred Horse. Four hundred Sepoys of the Deponent's Battalion were ordered for this Service; also his Battalion Guns, and a hundred Horse that belonged to the Amora Station, were withdrawn, to make up the Number required by his Excellency. No sooner was this made public, than the Zemeedars absented themselves; and the Deponent learnt from all Parts of the Country, that every Man was getting ready his Arms, and that Cheit Sing's Name was in every Body's Mouth; that every Rajah in the Country had declared for him: That the Deponent endeavoured to get some Nujeebs to supply the Place of the Troops called away; but all in vain; every Attempt was rendered abortive by the Machinations of the Khajahs belonging to the Two Begums at Fyzabad; and every Soul in that City seemed, from their Conduct and Conversation, to look upon the English as on the very Eve of Extinction, forbidding any one to serve the Fringies, but to repair to Cheit Sing and Saadut Ally—Nay, every Method and Way were tried to seduce the Sepoys from the Deponent's Battalion, which, however, did not succeed while remaining under his Eye, but had the desired Effect upon the Nujeeb and Sebundy. After the Sepoys, Guns, and Horse had crossed the Gogra, there was an End to all Government in that Part of the Country where the Deponent resided. Not an Article of any Kind was to be had; and but for the Deponent's having foreseen the Situation he should be in, and provided accordingly, he would have been under the Necessity of leaving his Station from the Want of Provisions. Thus surrounded on all Sides by lurking Enemies (for there was no knowing who to treat otherwise) the Deponent knew not when or from what Quarter the Blow was to be struck; but on the 8th of September it broke out in all Parts. All Out Posts were driven into Camp; the Roads in an Instant secured by armed Parties; Hircarrahs murdered, Sepoys attacked, and the intended Destruction of every Englishman openly declared, not only throughout the Pergunnah, Towns, and Villages, but even in the City of Fyzabad. To such Lengths was it carried by the People of Jewar Ally Khan, and other Khajahs belonging to the Begums, that the Women of the Deponent's Camp, that were sent across the Gogra to be out of the Way of Danger, being obnoxious from the Connection, were refused that Protection which the Sex in every Country meets with, but particularly in Hindostan claims as a Right. From the above Date, the Deponent was confined to the Limits of his Camp, nor had he any Road open but that to Rye Ghaut opposite Owd, at which Place Lieutenant Colonel Hannay then lay with a very small Force; while the Country around him, also the City of Fyzabad, seemed ready to commence Hostilities. On the 10th of September, Rajah Zalim Sing, accompanied by other rebellious Rajahs, appeared with a numerous Force on the Banks of the Gogra opposite to Amora. The Deponent's Spies brought him Intelligence from the Rebel's Camp, that his, the Deponent's Property, likewise that of all his Camp, was already divided; that the Deponent's Horses, Camels, &c. Things worth Notice, the Rajah Zalim Sing reserved to himself; the rest was to be given up to those who could get it. Moreover the Deponent saith, his People informed him that Rajah Zalim Sing had produced a Paper, which he, the Rajah, said was a Sunnud from the Nabob, restoring him to his Zemeedary, appointing him Collector of the adjacent Pergunnahs, Bufty and Nagger, also that he had the Nabob's Directions to drive the Fringies out of his Districts; that he only waited for the *Sise* * (Boats being already provided, from Fyzabad, which the Deponent knew absolutely to be the Case) to cross the Gogra, and carry the Nabob's Orders into Execution. Further, that his Excellency had altered his Sentiments regarding the Part he was to take in the present Contest; that his Excellency set out with the Intent of adhering to his Treaty with the Company, but that Mirza Saadut Ally wrote him he was to blame if he gave any Assistance; that now was the Time to shake off the English Yoke; that it might not be prudent to declare himself at once; that he had only to stand neuter, and, under Pretence of defending themselves, direct his Subjects to take Arms, and endeavour to prevent the Junction of the English Forces, when the Matter would work of itself: Further, to direct the Aumils to send no more Supplies of Money, which would cause the Sepoys to leave the English Service for want of Pay, while themselves would have Plenty of Money. In the City of Fyzabad the same Language prevailed as to the Money Part, and Stoppage of the Tunka, until the Nabob Saadut Ally Khan thought proper to issue the Grants. During the Night of the 10th of September Rajah Zalim Sing crossed the Gogra, and advanced within Four Cofs of the Deponent's Camp; on the Evening of the 11th the aforesaid Rajah pushed Three Posts to within a Mile of the Deponent's Lines, and was to have moved from

his Camp with his main Body when the Moon rose. Thus situated, it was thought expedient, for the Safety of both Parties, that the Deponent should join Lieutenant Colonel Hannay while yet a Passage was open; accordingly, about Two in the Morning of the 12th of September, the Deponent quitted his Camp at Amora, and marched to Rye Ghaut. The Deponent was scarcely out of his Camp, when the Rajah's People rushed into it, seizing all they could find, and murdered some unhappy Persons who had neglected to move in Front of the Deponent's Party. The Deponent reached Rye Ghaut at Sunrise of the 12th. As soon as it was known at Fyzabad, that Zalim Sing was in Possession of Amora, the whole City was in an Uproar from Joy; and the Deponent heard the Report and saw the Smoke of Guns that were discharged at Fyzabad, he believes on the Occasion. The Deponent saith, He believed the Reports as before related at that Time, and still is of Opinion the Threats therein contained were intended to be carried into Execution had the League been successful; nor did the Deponent then (or even at this Moment) doubt but what the Begums at Fyzabad and their Khajahs were in a League with Cheit Sing the Banaris Rebel; and the Deponent is of Opinion that the Whole of the Disturbances that happened in the Parts where he resided, took its rise from the Rebellion of Rajah Cheit Sing; and the Deponent is further of Opinion, that it would not have extended itself so wide in the short Time it really did, had it not been a Matter pre-concerted, and brought to light by mere Chance, ere properly ripe for Execution: And the Deponent further saith, That he is of Opinion, from the many Conversations he the Deponent has held with several Persons, Inhabitants of the Rebel Cheit Sing's Country, that the Rebellion has been meditating even some Years; that the Deponent was informed the Matter was absolutely debated in the Year 1779, and prevented only by the Voice of a Person about the Rajah, to whose Judgment much Deference was paid by the Rajah Bulwant Sing, Father of the Rebel.

J. Macdonald.

Sworn before me this 27th

Day of November 1781,

E. Impey.

NUM. 9. D.

Affidavit of Captain David Williams.

David Williams Esquire, Captain of the First Battalion of his Excellency the Vizier Assof-ud-Dowlah's Sepoys, on his Oath declares, to the best of his Remembrance and Belief, the following Circumstances respecting the State of the Country he was stationed in, the Reports that prevailed there, and his own Situation in it, during the Months of September and October One thousand Seven hundred and Eighty-one. Upon hearing that the Rebellion of Rajah Cheit Sing at Banaris, had become of a very serious Nature, he deemed it requisite to repair immediately to his Station at Gungowah, in the District of Gooruckpoor; accordingly he left Lucknow, by Dauck, on the First of September, and reached Sakrora the same Evening; on the Second, he arrived at Amora, and on the Third at Gooruckpoor. Upon the Road between Busty and Meerungunge, a Sepoy belonging to Major M'Donald's Battalion overtook him, and gave him Information that the Rebels had attacked a Post in the Jungle, which they had carried. On his Arrival at Gooruckpoor, the Jemmadar who commanded in the Fort acquainted him, that the Rajahs Futeh Saw, Genoo Roy, and Ajeet Mull, had received a very considerable Sum of Money from Rajah Cheit Sing, to enable them to commence Hostilities in Gooruckpoor, and in the Company's Districts, and that they had crossed the Gogra, and also, that they had Promises of considerable Sums of Money and Supplies of Men upon commencing their Operations. The Fourth, in the Evening, he arrived at Gungowah, and had the same Reports confirmed to him by his Commandant, and most of the People of that Place. On the Fifth and Sixth, he got all Things in Readiness to proceed, agreeable to the following Orders from Colonel Hannay, to Ackberpoor.

" To Captain Williams, commanding at Gooruckpoor.

" Sir,

" Having received the Vizeer's Orders to join him without Delay with the greatest Part of the Forces acting immediately under my Authority, I have to desire, that immediately on Receipt of this Letter, or as soon after as possible, you do march with the Two Grenadier Companies of your Battalion complete, and your Battalion Guns, and proceed with all possible Expedition to Ackberpoor on the Road from Fyzabad to Sultanpoor, where you will receive further Orders. You will march by the Route of Gooruckpoor, and cross the Gogra at Taundeh, where you will find Three large Pattallies ready for your Passage. The Four Companies of your Battalion stationed at Busty, Dooreaparah, Dumreagunge, and Baunfy, have also received Orders to march; but as the utmost Expedition is required, they will proceed immediately under the Command of Lieutenant Gordon, and not wait your Arrival. The Four Companies of your Battalion in Gooruckpoor, and with Hurdial Sing, will remain under the Authority of Mahommed Shuffy Khan; and I have to desire you will particularly instruct the Subadars, commanding them to pay the strictest Attention to such

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" such Orders as they may receive from Mahommed Shuffy Khan, during your Absence.
 " I know not what Quantity of Ammunition the Four Companies at Busty, &c. have with
 " them; but it will be necessary, if possible, to bring a Quantity with you sufficient to supply
 " the whole Six Companies of your Battalion under Orders of March, with a Complement of
 " Two hundred Rounds a Man; and inclosed you will receive a Letter from Mahommed Shuffy
 " Khan, desiring him to yield you every Assistance in his Power, in order to procure Carriage
 " for the Transport of it. What else may be wanted to expedite your March, your own Pru-
 " dence and Zeal will suggest, and I have only to repeat it is necessary you should make all
 " possible Dispatch.

" Alexander Hannay."

On the Seventh he marched with Two Companies and Two Guns, having previously sent Orders to the scattered Detachments to repair to Gongowah, there to remain under the Directions of the Aumil, agreeable to Colonel Hannay's Orders. On the Eighth continued his March; on the Evening of the same Day certain Accounts were brought him, that the Boats on the Rivers and Nullahs were destroyed, and the whole Country to the Gogra up in Arms; and having also received Intelligence that Futteh Saw, Genoo Roy, and Ajeet Mull, with their Banditti, were encamped on the Road to Burragong, it determined him to return immediately to Gungowah, and proceed by the Way of Burragong and Chuprah to Buxar, to join Major Crawford's Regiment with the Two Companies and Two Guns; by taking which Route, he would have had an Opportunity of driving off that Party, which would have freed the Country from the principal Rebel. On the Ninth he returned to Gungowah; and, as the Commotions in the Country seemed evidently to increase, since the detached Parties who were directed to repair to Gungowah had been severally attacked on their Way, as they came in, he sent Orders to Hurdial Sing, Commandant stationed at Ichmul, to repair with all Expedition to Gungowah with Two Companies and Guns belonging to the Fougedar of that Place, and in the Evening informed the Aumil Mahommed Shuffy Khan of his Intention of proceeding by Chuprah to Banaris, and gave him Advice respecting the Defence of the Country during his Absence. The Detachment was ordered to march on the Tenth. About One o'Clock in the Morning the Jemadar attached to the Guns came and informed him that the Companies had mutinied, and would not march without having their Arrears paid them. In the Morning he went to the Parade, and ordered the Men to fall in; they paraded with Reluctance and Difficulty, particularly the Left Hand Company, commanded by Khan Mahommed Subadar. When they were got under Arms, he acquainted them that he was concerned they were not paid so regularly as he could have wished, but if there were any of them that were distressed for Subsistence, he would advance them as much of his own Money as they required, as soon as they came to their Ground that Day; but that it was indispensably necessary that they should march with all Expedition to attack a Party of Futteh Saw, &c.'s Troops, which had taken Possession of the Ghaut in the Jerry Jungle, before they should have Time to fortify themselves. They were silent; he directed them to march off. When they had gone about One hundred Yards from the Parade, one of the Men stepped out of his File, and demanded all the Arrears of Pay due to him; he immediately seized the Bayonet of the Mutineer, with an Intention of putting him to Death; when Six or Seven Men turned out, fixed their Bayonets, and made the same Demand; the Black Officers remained silent and inactive; he ordered his Commandant to march on, and ordered the Mutineers to take off their Coats, as they were not worthy of being Soldiers, and that his Moonshy would pay them their Arrears that Instant; many more joined them in a few Minutes, loaded their Pieces, laid hold of the Moonshy, and were going to put him to Death. When he found that to be the Case, and that almost the whole Two Companies were engaged in the Mutiny, he ordered the Party to return, as it was in vain to proceed. A short Time after, the whole Party surrounded him, some with loaded Arms and fixed Bayonets, having also loaded the Guns with Grape, and with one Voice demanded their Arrears might be paid off. He remonstrated, that it was impossible for him to comply with their Demands, but that all the Money he had, or could get, should be distributed amongst them, if they would obey his Orders. For about Three Hours they behaved in the most licentious Manner, and were proceeding to break open the Treasure Chest; at last, however, he prevailed upon them to receive Three Months Pay. Upon this being given them they returned to their Lines, but kept Centries at the Bungalow. After this he sent for the Two Subadars, and desired them to sound the Men, and try if they could induce them, upon Promise of Forgiveness for what they had done, to return to their Duty. They came back, and reported, that they would consent to obey upon those Conditions. He went to the Parade in the Evening, and promised them Forgiveness; upon which they took an Oath to obey his Orders, upon Condition that they were not to march to Banaris; so that it became impracticable to prosecute the Intentions he had formed. However, in a few Hours more they again mutinied; and, to the best of his Recollection, they proposed to march to Banaris, and join Cheit Sing and Saadut Ally, who, as they said, would pay them their Arrears, and make them great Men; adding, that all the Europeans were cut off, and that he, meaning the Deponent, was the only Person left in the Country. In the Evening the Two Subadars Khan Mahommed and Buctour Sing came to him, and proposed to carry him Prisoner to Banaris. On the Twelfth he repre-

sent to them, that if they did not immediately march to attack Futteh Saw, &c. who had already posted Detachments within Sight of the Cantonments, and, as he was informed, was lying near Hussanpoor with near Seven thousand Men, they would be distressed for Provision, since the whole Country was in Arms. He sent for all the Black Officers, and begged and intreated of them to use their Influence over the Men upon this Occasion; but they were deaf to all he could say. Had they complied, he was confident of Success against the Rebels, as Dadjoo Sing and Gobindram Misser had engaged to make a Diversion in his Favour upon their Rear, whilst he attacked them in Front. In the Evening they came to a Determination to march to Fyzabad to the Begum; who they also declared would pay them their Arrears, and take them into her Service; but on the Thirteenth, before they had carried these Intentions into Execution, he was joined by Hurdial Sing, with Two weak sickly Companies; and having borrowed Money sufficient to pay them the Three Months Pay which the others had received, and thereby render them upon an Equality, they remained staunch, though every possible Means had been taken by the Mutineers to corrupt them. Shortly after this he received Information, that the Fort of Gooruckpoor had been attacked by near Six thousand Rebels. There was a Jemmadar and about Fifty Men in the Fort, who behaved most gallantly. The Attack commenced near Nine o'Clock in the Evening. They carried the outward Fort, which was too extensive; and the Party were obliged to retire to the Citadel, where there were upwards of Two hundred Prisoners confined. They endeavoured to seize the Sepoys; in which Attempt Nineteen of them were put to death, and many wounded. The Attack continued till near Four o'Clock in the Afternoon; when Shawmut Khan, a Jemmadar, and Nine Men, who had been ordered to march there from Puroonah, at the Beginning of the Disturbances in the Country, arrived in the Town; the People told them to throw down their Arms, and run off to the Jungles to save their Lives; for it was impossible for them to get into the Fort, as it was surrounded by Six thousand Rebels, who must carry it in a few Minutes. The Jemmadar, with admirable Presence of Mind, replied, That he was only the advanced Party, and that the Captain and the Guns were close after them; called out to a Man to run and bring them up, that the whole of the Rebels might be destroyed; and immediately fired upon the Rebels. The Report instantly spread; a Panic seized the whole, and they ran off in the utmost Confusion. He joined the Jemmadar in the Fort with his Nine Men: They sallied out after the Rebels, and cut off about Two hundred of them. During the Attacks, the Rebels frequently called out to the Jemmadar to deliver up the Place to them, as they had Perwannahs from the Begum, Cheit Sing, and Saadut Ally, for what they did.

Having received Orders from Lieutenant Colonel Hannay to proceed towards him, and also a Letter from Lieutenant Gordon, acquainting him that it was Colonel Hannay's Wish he should join him at Amora, informing him of the Loss of Two Companies of his Battalion which were with Lieutenant Gordon; on the Fifteenth he marched from Gongowah with the Aumil and Fougedars of the Country, and all the Stores of his Battalion. The March proved exceedingly fatiguing, on account of the Country's being under Water, and most of the Nullahs unfordable, and no proper Boats upon them for crossing. On the Twentieth arrived at Gooruckpoor, where he found Two Companies belonging to his Battalion, which were directed to join Lieutenant Gordon, but not being able to effect it, they had been under the Necessity of returning to Gooruckpoor, also a Company of Major M'Donald's Battalion, which had been obliged to retire from Bufty. On the Nineteenth received a Letter from Lieutenant Colonel Hannay, which determined him to remain at Gooruckpoor till he received further Orders, and wrote a Letter in Answer, proposing to march by the Route of Mugger and Bufty, to chastise Zalim Sing at Amora, and Lieutenant Colonel Hannay should advance by the Route of Mahadea to Amora, which he thought would be the most practicable Means of quieting the Rebellion in the Country. He was under a Necessity of borrowing Money to pay his Companies at Gooruckpoor, and also Major M'Donald's Company, and to make up the Ammunition that was damaged by the Weather, and repair the Tumbrils and Limbers: His Battalion being ill furnished with Arms and Ammunition, and the Draft Cattle very bad, which retarded him much during his March to Gooruckpoor. The Thirteenth received a Letter from Lieutenant Colonel Hannay, and wrote, for Answer, that he would march for certain on the Second of October; but the Difficulty he found in procuring a sufficient Quantity of Provision, and Carriage for it, as the whole Country was hostile, and Bodies of armed Men, to the Amount of several Thousands, were actually in the Town; added to the heavy Rain which fell on the Fourth and Fifth, rendered it impracticable for him to march till the Sixth. During the Time he remained at Gooroukpoor, it was currently reported and given out by the rebellious Rajahs, that they acted in conformity to the Orders they had received from Cheit Sing, Saadut Ally, and the Begums, to raise an Insurrection in the Country, and to destroy the English wherever they found them. Many Letters were intercepted, but the necessary Care was not taken of them, and they were either destroyed or lost. Having the Raubty and several Nullahs to cross, he did not reach Baunty till the Ninth, which is distant about Two-and-twenty computed Cos. On the Ninth in the Evening a violent Storm of Rain began, which lasted to the Sixteenth, with scarcely an Hour's Intermission, which rendered it totally impracticable to march during that Time, as the whole Country was overflowed, and the Rivers quite full. The March from Sakrora was extremely tedious and difficult, great Delays being occasioned by the Necessity he was under of making

PART III.

making Bridges, added to the Interruptions he suffered from the frequent Skirmishes he had with the People of the different Districts he passed through. On the 23d he arrived at Goondah, and on the Day following joined Colonel Hannay at Sakrora, with Eight Companies of his own Battalion, and a Company of Major M'Donald's Battalion. The Aumils and Fougedars of Gooruckpoor came under his Protection, and a Number of People in Office in the Collections; the Gun belonging to the Fougedary he brought with him, being the only one in the District he commanded. During his March from Gooruckpoor to Sakrora, the Rebels who harassed gave out, that every Measure they took was in compliance with the Directions they received from the Begum, Saadut Ally, and Cheit Sing. Since the Time of his being appointed to the Command of the Battalion, in January One thousand Seven hundred and Eighty-one, he has only received Two Months Pay, on its Account, from his Excellency the Vizeer, to the present Time, November the Twenty-seventh: His Battalion was dispersed in such a Manner, and at so great a Distance, that he hardly ever had above Two Companies with him, till they joined him by Degrees. During the Rebellion, he continually advised Colonel Hannay of his Situation, but it appears few of his Letters reached him, as the Communication was shut up.

Sworn this 27th Day of November

1781, before me,

E. Impey

D. Williams,

Captain, commanding the 1st Battalion of his Excellency the Vizeer's Sepoys.

Num. 9. E.

Affidavit of Captain John Gordon.

John Gordon Esquire, Captain in the Corps of Sepoys of his Excellency Assof ud-Dowlah Nabob Vizeer, on his Oath saith, That he crossed the Gogra on the 6th of September at Chowrah, with Four Companies of Sepoys, and about Eighty Horse (in all, near 400) under his Command; that he saw the Country was disaffected, but judged his Force to be sufficient to join Colonel Hannay at Akberpoor; indeed the Deponent did not conceive that his Excellency's Troops, marching to join him by his Command, could meet with any Interruption. On the 7th, at Day-break, the Deponent marched, and about Half a Mile from Chowrah, when crossing a Nullah, he observed great Bodies of Men assembled to oppose his March; he immediately made what he judged to be the best Disposition of his small Corps, and the Behaviour of the Men did them great Credit; for though, during the whole of the March of Eight Cos, they were attacked and often surrounded by incredible Numbers of People, yet they constantly beat them off, killing and wounding many of them, and arrived, with very little Loss, about One o'Clock in the Afternoon, at the Tereea Nullah, which runs by Taundeh, bringing the whole of the Bazar and Baggage in the most perfect Safety; the Deponent then imagined himself in a Friend's Country, and intended crossing the Nullah, that his People might halt for the Day and refresh after their very fatiguing March; for this Purpose he ordered the Bazar and Baggage to be sent over, and Part of the Sepoys to stand to their Arms, as great Numbers of their Enemies were still in Sight; but his Surprise was extreme when he was informed, that the Boats were all on the other Side of the Nullah, and that none of them were permitted to cross. The Deponent immediately wrote a Letter to the Begum's Aumil, Shumsheer Khan, acquainting him that he was marching with the Vizeer's Troops, by his Order, to join him; that he, the Deponent, was astonished at his stopping the Ghaut; and desiring Boats might be sent for the Transport of the Detachment. To this no Answer was made, but immediately Three Guns were brought near the Ghaut, and pointed to the Detachment, and a Number of Matchlock Men were posted on the Banks of the Nullah, who threatened to fire if any Body passed. There were then near the Ghaut a great many large Boats belonging to Mr. Scott, whose Gomastah, notwithstanding his utmost Intreaties, was prevented from sending them by Shumsheer Khan; who threatened the Plunder of his Factory, and even his Life, if he attempted it. This was told the Deponent by the said Gomastah repeatedly, and the Deponent believes it to be true, as it corresponds entirely with every other Part of Shumsheer Khan's Conduct. The Deponent, upon being refused a Passage, took possession of a very strong Ground, surrounded on Three Sides by the Gogra, and the Nullah on the Fourth Side, whence only he could be attacked by the Country People; he ordered the Sepoys to make a Breast Work, by piling up of Planks, of which there were a great Number; and as he had Ammunition and Provisions, he intended to wait there until he could procure Boats, or discover a Ford. While the Deponent was thus employed, Mahommed Ruzza Beg, the Jemadar of Horse, had swam across the Nullah, and procured Permission for his People to follow him, which they immediately did. No Answer coming from the Fougedar, the Deponent desired his Moonshy to go to him, and explain the Matter; he accordingly went to the Ghaut, and demanding a Passage, he was refused, and insulted in Terms the most abusive to the English. He returned, and telling this, the Deponent ordered him to take an Elephant and swim over; but when he attempted to enter the Nullah with the Animal, the Nujeebs pointed their Matchlocks at him, and obliged him to desist: The Sepoys seeing this, and that the Horsemen were permitted to swim across, naturally imagined that the Objection was to the English only, and their Adherents; they thought it safest to abandon the Deponent, whom they must have concluded to be devoted, and throwing down their Coats and Arms, they followed the Example of the Horsemen, in swimming across the Nullah, making a Merit with Shumsheer Khan,

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of giving the Deponent up to his Fate. One of the Subadars represented to Two others, the Folly of suffering for One Person; and proposed to them to deliver up the Deponent to Shumsheer Khan or to the Country People; but the Proposal was rejected with Scorn, and One of the Subadars reported the Behaviour of the other immediately to the Deponent: The Desertion, however, was almost complete; for in a little Time, of the Four Companies, not Twenty Men remained, including Officers. It was almost Evening when Mr. Scott's Gomastah, with great Difficulty, at last obtained Permission from Shumsheer Khan to send One Boat, but it came too late to render any effectual Assistance, for with the few Sepoys who remained, Command was at an End; and as most of the Deponent's Servants had gone off, his Baggage was left a Prey to the Banditti, who soon carried off and destroyed it. Some Things which a few of his Servants brought with them, they gave in Charge to the Fougedar's People, who promised to take care of them, but they reserved them for themselves, or rather for the Fougedar; and though many of the Deponent's Things were seen in his House, he could never recover a single Article. For many Days during the Stay of the Deponent in Mr. Scott's Factory it was threatened to be attacked; and Shumsheer Khan, though often applied to by Mr. Scott's Gomastah, constantly refused to grant the least Assistance: Notwithstanding this, Shumsheer Khan was, and the Deponent believes is still, continued in Office; and while the Deponent was at Fyzabad, Shumsheer Khan came there, and was well received by the Begum and her Ministers: From all which Circumstances the Deponent is convinced, that Shumsheer Khan could not have dared to act as he did, had he not been authorized by the Begum and her Ministers, or at least had he not known that such Conduct would be agreeable to them.

J. Gordon.

Sworn this 27th Day of November
1781, before me,

E. Impey.

T E N T H P A R C E L.

NUM. 10.

Affidavit of Jean Honore Mordelait, Private of the Company of Chasseurs.

Jean Honore Mordelait, Natif de Corbell, Province de l'Isle de France, fait Serment, et dit, Qu'étant malade à Mirzapour il fût laissé en arrière avec Quatorze de ses Camarades, lui inclus, tous servant dans la Compagnie de Chasseurs, commandée par le Capitaine Doxat; lorsque le dit Capitaine marcha avec les Troupes qui composoient le Détachement commandé par le Capitaine Mayaffre; que lors du Départ du dit Capitaine, le Raja de l'Endroit les fit entrer en son Entourage pour plus de Sureté contre les Voleurs qui l'environnoient; que sur leurs Representations qu'ils n'avoient pas d'Argent pour se fournir des Vivres, il leur fit donner à manger chaque Jour par un Bannia, qu'il les consola et les assura qu'allant voir ce qui se passoit à l'Entour de son terrain il chercheroit après un Moyen de les faire passer à Chandernagore; que des lors il ne revint point: Que le Commandement étant alors dévolu au Second, il les fit appeler le Trentième, et leur donna Deux Roupies à chacun pour servir à une Route qu'ils devoient faire de Deux Jours de Chemin; qu'il leur fit sçavoir que c'étoit ses Ordres de les renvoyer de là, et qu'il avoit aussi reçu Ordre de couler tous les Batteaux passant par Mirzapour: Que pendant ce Temps Cinquante de ses Gens furent envoyés pour s'emparer de leurs Armes, et que ces Gens prirent un Inventaire de ce qui appartenoit à la Compagnie; que le Lendemain ils furent contraintes de se mettre en Route, leur Sacs placés sur des Chameaux, sur lesquelles ils furent obligés de monter à grands Coups de Fouët pour ceux qui refusoient: Que durant leur Route ils eurent toutes Sortes d'Indignités, qu'on leur crachoit au Visage, qu'on les battoit. Que la seconde Journée un de ses Camarades fût assez heureux de mourir; que le Chemin qu'ils faisoient étoit parmi des Gorges de Montaignes, et qu'avec les Détours qu'ils firent il croit que le Trajet jusqu'à Laitiffghur, où ils arrivèrent le Deuzième de Septembre, étoit plus de 40 Cofs: Qu'à la fin de la première Journée ils s'arrêtèrent à un petit Fort dans les Gorges, où leur mauvais Traitement fût redoublé. Qu'arrivé à Laitiffghur ceux qui vinrent avec eux se disperferent; qu'ils furent entourés pendans deux Heures qu'ils y restèrent par environ deux ou trois mille Gens qui les insultèrent grossièrement, et particulièrement, les accusa d'avoir assassiné le Raja de Guàlier: Qu'un de leur Camarades, nommé François, fût mené auprès du Raja lequel à son Retour leur declara que le Raja l'avoit assuré qu'en cas qu'il lui amena Compagnie Française qu'il auroit son Pain. Qu'après ils furent conduits hors de Laitiffghur de la même Manière qu'auparavant sous le Garde de quelques Sepoys, et autres Gens armés, à une petite Maison fortifiée au de là de Laitiffghur une Cofs sur le Chemin de Beerjahghur; que ces Gens y restèrent pour les garder: Qu'on ne leur donna ni à manger ni à boire: Que le Lendemain, étant le troisieme, un Chef de Laitiffghur avec dix Sepoys et environ 40 Hommes armés les fit sortir à une Portée de Fusil de la Maison: Qu'ils lièrent leurs Mains derrière leurs Dos; et qu'en cette Position ils leur crièrent à manger, leur montrant des Vivres à quelque Distance dans des Corbeilles. Qu'après s'être amusé pendant une Heure ou deux

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deux de leur Misères, ces Barbares tirèrent leurs Sabres et commencerent le Massacre : Que le susdit eût une Baonette passée du travers du Corps, et un grand Coup de Pied sur les Reins pour la faire ressortir : Qu'en cet Etat il feignit le Mort, et deux de ses Camarades tombant sur lui cachèrent sa Feinte : Que les Meurtriers se retirant après ce Carnage, il eût assez de Force pour se retirer dans les Jungles à vingt Pas de là : Qu'à la Discretion des Tigres il passa toute la Nuit ; qu'accablé de soif, le Lendemain il descendit à un Ruisseau pour boire de l'Eau, qu'il fût vit par des Campagnards, et amené à l'Endroit d'où il étoit sorti le Jour avant ; que les Habitants le rassurèrent contre toute Crainte de sa Vie : Que leur Chef lui donna pour lui et sa Femme huit Pice par Jour, laquelle Subsistance lui fût continué par moyen d'une Garde qui montoit et étoit relevé chaque Jour de Laitiffghur : Que parmi les Gens qui étoient là, il ne reconnût aucun de ceux qui les tuerent : Que le 20, le Jour que le Raja s'enfuit de Laitiffghur, après que lui et ses Troupes eurent passées auprès de l'Endroit où le susdit étoit, il se rendit à Laitiffghur sans Empêchement, et même fut mis au large par les Habitants : Que la Nuit du 20 ou 21 il fût obligé de se cacher, pour se mettre à l'abri des Gens qui pilloient de tous Côtés : Que le Lendemain Marin à l'Entrée du Major Crabb il fût découvert et heureusement mis en Sûreté de toute autre Pour suite.

Le susdit fait Serment et dit, de plus qu'il croit que le Massacre provenoit d'un Acte de libéré, et que ce ne pouvoit être le Résultat d'aucune Cause, comme ces Camarade et lui étoient trop tristes pour démontrer aucun Signe de Joie, s'abandonnant à la Mort d'après la mauvais Traitement qu'ils avoient subits : Qu'au contraire quant ils entendirent le Matin du Jour du Massacre, le Bruit des Canons et des Fusils, ils s'entredisoient tout doucement que leur Destruction seroit la Conséquence infaillible en cas que les Troupes du Raja perdroient la Bataille : Que même, lors de cette Communication d'Idees, ils n'y avoient aucuns de leurs Gardes ou autres Gens pour les écouter ; que leurs Expressions à ce Sujet se passèrent, lors du Bruit des Canons et des Fusils, lequel étoit de grand Matin : Que leurs Meurtriers n'arrivoient de Laitiffghur qu'environ les onze Heures : Que deux Heures se passèrent à leur contraindre de tirer Habits, Chapeaux, &c. Qu'au lieu du Meurtre ils furent conduits en Chemise, et qu'il étoit environ une Heure après Midi, quand cet Acte de Barbarité fût commise.

Mordelait.

Sworn before me, this 5th Day of
December 1781.

E. Impey.

Translation of the foregoing Affidavit.

John Honore Mordelait, Native of Corbell, a Province in the Isle of France, declares upon Oath, That being sick at Mirzapoor, he was left behind with Fourteen of his Comrades, himself included, all of whom belonged to the Company of Chasseurs commanded by Captain Doxat, when the said Captain marched with the Troops which composed the Detachment commanded by Captain Mayaffre : That upon his Departure, the Rajah of the Place made them come within his own Premises, for the greater Safety against the Thieves which surrounded them : That on their representing they had no Money to supply themselves with Food, he caused them to be given something to eat every Day by a Banian : That he comforted them, and assured them, that upon seeing what passed round his Seraglio, he sought for Means to transport them to Chandernagore : That from that Time he did not return : That the Command having then devolved upon the Second, he had them called before him on the Thirtieth, and gave them Two Rupees each, to serve for the Journey of Two Days they were to take : That he let them know his Orders were to send them from thence ; and that he had also received Orders to sink all the Boats passing by Mirzapoor : That during this Time, Fifty of his People were sent to seize their Arms ; and that those People took an Inventory of what belonged to the Company : That the next Day they were obliged to begin their Journey, with their Baggage placed on Camels, which they were obliged to mount ; and those who refused, received violent Blows with a Whip : That during their Route every Sort of Indignity was offered to them : That they spit in their Faces ; and beat them so, that on the second Day one of his Companions was so happy as to die : That the Road they took was through narrow Passes, between Mountains ; and that with the Circuits they made, he believes the Journey to Laitiffghur, where they arrived the 2d of September, was more than 40 Cois : That at the Close of the first Day they stopt at a small Fort in the Passes, where their Ill-treatment was redoubled : That being arrived at Laitiffghur, the Persons who came with them dispersed : That they were surrounded for Two Hours, and remained there, among about Two or Three thousand People, who insulted them grossly ; and particularly accused them of having assassinated the Rajah of Gwallior : That one of their Companions, named Francois, was taken before the Rajah, and declared to them, at his Return, that the Rajah had assured him that in case he brought the French Company to him, he should be provided for : That afterwards they were conducted out of Laitiffghur in the same Manner as before, guarded by some Sepoys and other armed Men, to a small fortified House beyond Laitiffghur, One Cois on the Road from Beejahghur : That those People remained there to guard them : That they had nothing either to

eat or drink given to them : That the next Day, being the Third, a Chief of Laitiffghur, with Ten Sepoys, and about Forty armed Men, made them go out to the Distance of a Musket Shot from the House : That they tied their Hands behind their Backs ; and that in this Position they told them to eat ; shewing them Provisions in Baskets at some Distance : That after having amused themselves for an Hour or two with their Misery, these Barbarians drew their Sabres and began the Massacre : That the Deponent had a Bayonet passed through his Body, and a violent Kick on the Reins to make it come out : That in this Situation he feigned Death ; and Two of his Companions falling upon him covered the Deceit : That the Murderers retiring after this Carnage, he had Strength enough to retreat to the Jungles, Twenty Paces from the Place : That he past the Night at the Mercy of the Tigers : That on the next Day being parched with Thirst, he went down to a Brook to drink : That he was seen by some Country People, and carried to the Place which he had left the preceding Day : That the Inhabitants assured him his Life was in no Danger : That their Chief gave him Eight Pice every Day for his Wife and himself, which Subsistence was continued to him by means of a Guard, which was mounted and relieved every Day from Laitiffghur. That he did not recollect the Persons of any of the Murderers among the People here : That on the 20th, the Day the Rajah fled from Laitiffghur, after he and his Troops had passed near the Spot where the Deponent was, he went to Laitiffghur unmolested, and was even set at Liberty by the Inhabitants : That in the Night from the 20th to the 21st he was obliged to lie concealed to save himself from the People, who were pillaging on all Sides : That the next Morning, at the Entry of Major Crabb, he was discovered, and fortunately placed in Safety from all further Pursuit. The Deponent moreover declares upon Oath, That he believes the Massacre proceeded from a deliberate Act, and that it could not have been occasioned by any Cause, his Companions and himself being too sorrowful to shew any Sign of Joy, as they had abandoned themselves to Death after the Ill-treatment they had met with : That on the contrary, when on the Morning of the Massacre they heard the Report of the Cannons and Muskets, they said to each other softly, that their Destruction would be the infallible Consequence, in case the Rajah's Troops should lose the Battle : That even at this Communication of Ideas there were none of their Guards nor any other Persons present to hear them : That their Conversation on this Subject passed when the Noise of the Cannons and Muskets was heard, when it was broad Daylight : That their Murderers did not arrive from Laitiffghur till about Eleven o'Clock : That Two Hours passed in making them take off their Cloaths, Hats, &c. : That they were led in their Shirts to the Place where the Murders were committed ; and that it was about One o'Clock in the Afternoon when this Act of Barbarity took place.

Sworn before me,
this 5th Day of December 1781.
(Signed) E. Impey.

(Signed) Mordelait.

ELEVENTH PARCEL.

NUM. 11.

Affidavit of Lieutenant Colonel Hannay.

Alexander Hannay Esquire, Lieutenant Colonel in the Service of the Honourable United East India Company, maketh Oath, and saith, That in the Month of September last (1781) he commanded a Body of Troops (Horse and Foot) in the Service of the Nabob Vizeer : That on the 10th of that Month, being encamped at Ryegunge, near Fyzabad, employed in transporting the said Troops across the River Gogra, in order to act against the Insurgents to the Northward of that River, in the Evening he received Intimation from a Person living in the Zennana, that the Nabob Begum (Grandmother to the Nabob Vizeer Assof-ud-Dowla) had, through her Agents, prevailed upon the principal Jemmadar of Horse, to engage to detach himself from the said Deponent, and to abandon him ; and further warning the said Deponent to attend to his own personal Safety, as there was an Intention of detaining him at Fyzabad : That this Intimation was given to the Deponent in the Presence of Lieutenant Charles Middleton, to whom the Deponent did communicate it ; and that, during the whole Course of that Day (the 10th of September) he the Deponent had not been able to prevail on any of the Horsemen to cross the River—a Matter which he could not until then account for, but which served to impress him so strongly with a Belief of the Truth of the Information he had received, that he sent for the principal Jemmadar of Horse, circumstantially communicated the said Information to him, and, as forcibly as he was able, stated to him the Treachery, Disgrace, and Infamy, inseparable from so unmanly a Behaviour : That the said Jemmadar of Horse appeared much affected at the Conversation, and acknowledged that the Information was true in every Circumstance, except that of his having acceded to the Proposals that were made to him, which he declared he had rejected ; but said, they had also been made to the other Jemmadars of Horse by the Agents of both the Begums (the Nabob Vizeer's Mother and Grandmother) ; and the Truth of this Affir-
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tion was afterwards affirmed to the said Deponent by Two of the said Jemmadars, and several of the inferior Officers and private Horsemen. The Deponent further declareth, That the above-recited Conversation passed in his the Deponent's Tent, to the best of his Recollection and Memory, on the Night of the 10th of September, in the Presence of Lieutenant Charles Middleton; and that, as the said Lieutenant Charles Middleton did not perfectly understand the Moorish Language, in which the Conversation was held, he the Deponent explained the Nature and Subject of it to him as soon as the Jemmadar left the Tent. The Deponent further declareth, That he is restrained from mentioning the Names of the Jemmadars alluded to, from an Apprehension that their Names becoming public, might operate to their Prejudice, if not Ruin; but that the Facts which he hath deposed are Truth.

Sworn before me (the Deponent declaring on his Oath, that the above Affidavit is written in his own Hand-writing at Banaris) this 31st Day of December 1781,

Alexander Hannay.

Warren Hastings.

Minute of the Board, entered in the Consultations of 14 January 1782.

The Board having already passed their Opinion, in Terms of the fullest Approbation, upon the Governor General's Conduct and Management in the Suppression of the Rebellion of Cheit Sing, and the Regulation of the Province and City of Banaris; they think it unnecessary to repeat their Opinion of those Measures.

Extract Secret
Consultations,
14th Jan. 1782.

They cannot at the same Time but remark, that the Explanations which the Governor General has given in some Parts of his Proceedings, during his first Discussions with Cheit Sing, and subsequent to the Convulsion, are rather an open Avowal of the Motives that actuated his Mind, than the guarded Representations of a public Officer, stating to his Employers the Measures which an extraordinary Situation influenced, dictated, and justified.

To a liberal and candid Tribunal, such was the natural, and certainly the wisest Appeal. The Generosity and Justice of a British Tribunal looks more to the real Motives and Zeal of their Agent, than to the preconcerted Artifice of his Conduct, or the legal Discriminations of his Defence. Even where a public Measure is unsuccessful, the Responsibility required by the Agent (if risked upon public Principles) is frequently his Justification, and in many Cases entitles him to Applause.

In these distant Dominions the ruling Servants of the State attend more to those Rules and Forms which protect from Responsibility, than to an ardent Pursuit of the public Interest; under every private Risk, the Hands of Administration may secure themselves against Condemnation, even though the Country should be lost through their Mismanagement.

It was not by avoiding personal Responsibility that the Servants of the Public established the British Influence in Asia; nor is it by such cold Precautions that our Power is to be maintained, especially at an Hour of general Hostility against us. The Board are led into these Observations, from an ingenuous Consideration of the Difficulties in which the Governor General found himself involved at Banaris, and a Conviction of the Motives under which he acted. The first were surmounted with Ability and Fortitude: The latter they most sincerely believe do him real Honour.

Easy would be the Task to approve the Suppression of the Rebellion, and to stand disconnected with any Responsibility, by justifying those Acts which certainly precipitated the Storm from the Cloud in which he had gathered; Acts which Judges at a Distance, Judges unoppressed with the actual Embarrassments of this Government, may, with great Speciousness of Argument, condemn. But the Board wish not, they cannot permit themselves to proceed so disingenuously, or guardedly. They are at the same Time aware, that in a rigid Investigation of the whole of this Business, the following Questions will be asked.

1st. Where were the Governor General's particular Instructions for such extraordinary Demands upon Cheit Sing?

2dly. Why was that Chief put in Arrest, when he offered to make every Concession?

3dly. Whether there was not a Compact between him and the Company, which specified, that he was only to pay them a certain annual Tribute?

Subsequent to the Massacre of our Troops, and the Events that followed, no Questions will be asked.

In answer to the first Question, the Board think the Governor General was fully authorized by the general Tenor of his Instructions. The Governor General having a deciding Vote, could have written out and approved more particular Instructions. There was a Delicacy in the Mode he preferred; and it imposed a greater Responsibility.

In regard to the Second Question; it is evident from Cheit Sing's Answers and Preparations, and the whole Tenor of his Conduct, before and at the Time, that nothing but Arrest could have convinced him of the Governor General's Determination.

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That the Arrest was not intended to proceed farther than the Payment of a proper Fine to the Company, who stood in the Place of his Sovereign and Benefactors, is evinced by the Governor General's Answer to Cheit Sing, after his Confinement.

Had a total Revolution in the Administration of the Zemceedary been intended, the Arrest must have been effected with more Force, and greater Marks of Severity.

That the Officers who went to execute this Service were convinced that no Measure of determined Severity was intended against Cheit Sing, appears from that unfortunate Want of Precaution which cost them and their Followers their Lives.

The Third Question involves much Argument, yet is fully answered by that Part of the Governor General's Narrative, which discusses the Situation under which Cheit Sing ruled the Provinces, and which was so liberally granted by the Company.

The Correspondence with the India States, shews clearly their Ideas of the Rights of Zemceedars and Rajahs protected in their Zemceedaries by a superior Power. Had Cheit Sing been an Ally Sovereign Prince, who paid only a fixed Subsidy, his Military Preparations, and his insidious Conduct, under Pretences of Poverty, in disappointing the Expectations of the Government from the Army under Major Camac, justified, together with his Correspondence with our Enemies, the severest Exertion of Aid to assist the Company in their Distresses, and atone for his Ingratitude and Treachery to a Power who protected him, and to whom he owed his Situation.

On the Subject of the Treaty concluded on the 18th of September last, between the Governor General and the Nabob Vizeer, and which the Difficulties of the Communication prevented the Governor General from explaining so fully before, the Board have to observe, that the Treaty is evidently a political Expedient, which forfeits no Advantage, which promises the Acquisition of many, and which, properly managed by this Government (as Events favourable, or even unfavourable, arise), may lead to the final and complete Arrangement of an Alliance with the Vizeer. Such an Alliance, being less oppressive to him, may be more advantageous and honourable to the Company, and may remove that too general but dangerous Impression, which the different States of this Country have received from the double Character in which we have hitherto appeared in India—that of Allies and Conquerors.

If the Nabob Vizeer should not be able, under the Support of the Troops of this Government stationed at Cawnpore, to maintain the Tranquillity of his Dominions, and collect those Resources which are necessary to defray even his reduced Expences, and discharge his heavy Debt to the Company, a new Arrangement must follow; and that Arrangement necessarily, at the express Request of the Vizeer, will secure every Advantage that can be wished or expected from his Provinces by this Government.

The Reduction of that heavy Burthen of Expence, which was at once oppressive to the Vizeer, and of no Return to the Company (though a Source of Patronage to this Administration), the Board approve of most heartily; and, with a full Sense of the Credit which a Measure of such Difficulty and Unpleasantness reflects upon the Governor General, they take this Occasion of pledging to him and to their Employers their utmost Support, not only in this, but in every other Branch of public œconomical Reformation, which he may propose.

Upon the Return of the Governor General, the Board resolve to discuss with him those Parts of the Treaty, which carry the Appearance of a hasty Agreement. The Disaffection of many of the Vizeer's principal Jagheerdars; and the Steps which, from the Representations of Colonel Hannay and other Officers, appear to have been rapidly taken by the Begums, to support the Rebellion of Cheit Sing; were probably very early known to the Governor General, and through the Medium of all the Suspicions that his Situation, at the Time he met the Vizeer, had naturally created.

At such a Moment, and under such Suspicions, and even while the Issue of the Contest of Cheit Sing was depending, it is not surprizing that some Parts of the Agreement between the Governor General and the Vizeer were speedily adjusted, and, as the Governor acknowledges, in Conversation at their First Interview.

A short Time will satisfy the Board, whether the Vizeer is willing or able to fulfil his Part of the Treaty: If he is that, and the Company can recover their Debt from him in the present Emergency and Distress of their Affairs, the Board cannot then but agree, that the Governor General has acted in the Arrangement not only with Zeal, and the best public Intentions, but with a masterly Decision, that must entitle him to the grateful and complete Approbation of his Employers.

It remains with the Board to concert with the Governor General, upon his Return, those Measures that may secure this Government from any future Inconveniencies or Distress, that can be supposed connected with the Confidence reposed in the Vizeer, for the Administration of the Affairs of his Revenue and Military Establishments.

Extra & Secr.
Dept. Conf.
5 Feb. 1782.

The Governor General delivers in the following Minute, in consequence of that of the Board, entered on the Proceedings of the 14th ultimo.

The Governor General acknowledges his Obligations to the Board, for this repeated Instance of the liberal Manner in which they have been pleased to record their Judgment on his Conduct. Had it been expressed in the simple Terms of official Approbation, he should have been pleased, and satisfied that it had received so respectable a Sanction; but by tracing the Sources of it, in the Motives which he has avowed; by their Examination of those Motives with their relative

PART III.

relative Facts and Circumstances; and by the Doubts which they have anticipated and solved, on the Propriety of such Parts of his Conduct as might most obviously suggest them; they have justified their own Approval, and entitled him to expect the same favourable Sentiments in their common Superiors.

Nor is he less pleased with the Reserve with which the Board have declared their Satisfaction in the Arrangement concluded by him with the Nabob Vizeer; because he thinks it will be received as an Evidence of the Deliberation and Sincerity of their former Approval. He is willing to submit the Propriety of the Measure to the Test of its Success. The Resident has already informed the Board, that he had received of the Treasures of the late Vizeer, left in the Charge of his Widow, and lately reclaimed by his Son, the Amount of the Bond granted by the latter for the Balance of the Year 1178, which falls in September 1780 of our Æra; and was in the actual Receipt of as much as would discharge the Balance of the last Year, that is, of the Year 1179. The first of these Balances is 32,68,6 3. 11, the last 12,09,876. 9. 8. The Sum of both is, R¹ 44,78,490. 4. 8. Owd Siccas. The Resident seems to have understood this to be the Whole of the Nabob's Debt. There is a further Balance of 26 Lacks, which appears to have been by some means overlooked, or withheld from Mr. Middleton on the Transfer of his Office from Mr. Purling. A rectified Account, drawn to the latest Period, has been transmitted to Mr. Middleton by the Accomptant General, which it is hoped will arrive in Time to prevent his stopping at the Receipt of the supposed Balance; and at all Events, the Profits of the resumed Jagheers ought to yield a Fund, more than sufficient both for the complete Liquidation of what may remain of the Nabob's present Debt, and to make up the Deficiency of the Assignments granted on his Revenue for the current Year, within the Course of it.

The Governor General expects this Service from the Resident, and relies upon his Fidelity for the Performance of it. But in the Supposition of the Possibility of a Disappointment, he again offers his personal Services to proceed to Lucknow, on the first Symptom of such a Failure; and, with the Confidence which he feels in his own Influence, aided by the powerful Support of the Board, he will venture to promise, that he will not return with their Object unaccomplished.

He hopes, and believes, that there will be no Necessity for this Extremity, but adds it as a Ground for the Assurance which he ventures to propose; and wishes the Board to give to the Honourable Court of Directors, in the Advices to them now under Dispatch, that there is the fairest Prospect, amounting as near to a Certainty as can be affirmed of an Event yet in Expectation, that the Debt due from the Nabob Vizeer to the Company, and even that of the Rohilla Donation, will be completely paid off in the Course of the present Year, and a Supply added to our ordinary Resources, which will fully answer all our own Wants for that Period, and enable us to contribute still further, and we hope effectual Aids, to those of the Carnatic.

The Governor General forbears to include the Presidency of Bombay in this Provision. Its Expences have already contributed more even than those of the Carnatic to exhaust these Provinces of the Currency; nor will it be possible for them to support any longer so pernicious a Drain. At a certain Point it must have a Close. For this Distress we must seek a Remedy in a different Expedient, in the Conclusion of the War with the Maratta State, and the consequent and most necessary Reduction of the Armies now employed on that Service. In the mean Time, he trusts that they are not so devoid of Resources in themselves, as to make them totally dependant for the Subsistence on this Government, since they have a large and rich Territory, acquired by their late Conquests in Guzurat, in the Dependance of Surat, and, as we learn only from an allusive Passage in General Goddard's last Letters, even in Concan, of which we were not before apprised. These Districts, we are assured by the same Authority, were in a State of perfect Tranquillity, and undisturbed Collection of their Revenues; and in the same State they are likely to remain, since in the Prospect of a Peace the Maratta Government will naturally look to the Restitution of their former Possessions, and would eventually be at least equal Sufferers with us, by any Devastations committed in them.

Such are the Expectations which the Governor General wishes to have presented to the Court of Directors, of the Course and Issue of the Resources of this Government for the present Year. He hopes that Credit will be given to them to that Degree, beyond which it would be presumptuous on any Grounds to hazard the Promise of contingent Events; that if those which he has predicted shall not come to pass, the Causes of their Failure shall be such as shall account for it, and acquit him of the Reproach of it.

Of the Consequences, as they may affect him personally, he is become indifferent; expecting the forced Censures of his avowed Enemies, and assured of the Applause of his Superiors, from the internal Conviction of his own Mind, that he has laboured to the utmost of his Ability to merit it.

(Signed) Warren Hastings.

Die Veneris, 29° Februarij 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons they might proceed with their Evidence.

Then the Clerk proceeded to read from the printed Copy of the Narrative of the Governor General already delivered in, beginning at Page 21, where the same was broken off Yesterday, and read as far as Page 29 of the said Narrative (^a).

Then the Managers for the Commons stated, that they should proceed to point out such further Extracts from the same, as they particularly desired to call the Attention of the House to.

Read, the following Extract, from Page 34 of the said Narrative :

“ On the 20th or 21st, I forget which, I received a Letter from Rajah Cheit Sing filled with Expressions of slight Concern for what had passed, and Professions, but indefinite and unapplied, of Fidelity. I did not think it becoming to make any Reply to it, and I think I ordered the Bearer of the Letter to be told, that it required none.

“ On the Morning of the 21st, a Person came to Mr. R. Johnson, who was One of my Party, and desired his Interposition with me to receive a Letter and Messenger from the Rajah in the Evening, with Proposals for an Accommodation. The like Application was made by Myrza Abdullah Beg, the Rajah's Vakeel, to my Dewan Contoo Bauboo; and, with my Permission, Contoo Bauboo returned to his own House to meet the Vakeel by Appointment for that Purpose, by which Means he missed the Opportunity of going off with me; the Intelligence of my Intention reaching him too late for him to join me, or his infirm State of Body not admitting of his taking so hasty a Resolution. The Substance of the Message, as it has been since delivered to me by Abdullah Beg, in Writing, was to exculpate himself from any Concern in what had passed, which he charged to the insolent Behaviour of a Servant of the Resident, who was present, and the Resentment of his own People, and to profess his Obedience and Submission to my Will in whatever Way I should dictate (^b).”

Read, also, from Page 46, as follows :

“ It would break the Attention, and perplex the Thread of the Narrative, to relate every distinct Event in its exact Order of Time: I have therefore, in the minuter Points, endeavoured rather to arrange them according to their Relation to the greater, or to find a Place for them in the vacant Intervals and Pauses of it. It may be proper in this Place to mention, that during the Time of Inaction which succeeded to my Arrival at Chunar, I received several Letters from Cheit Sing, besides Letters from Mr. Barnet, and One from Contoo Bauboo, who were both his Prisoners at Lutteefpoor, which were written by his Order. These were all alike in Substance, containing Acknowledgments and Professions of Submission to my Authority; Assertions of his own Innocence, charging the Massacre at Shewallah to the Chubdar, whose Insults provoked the Resentment of his Servants, whom he could not restrain; and claiming a Merit from his having in the Three past Actions been the suffering Party, though successful, and in none the Aggressor; adding general Offers of Accommodation; and in the Letters written by his Order, a pompous Display of his inexhaustible Wealth, the Multitude and Bravery of his Forces, and the devoted Affection and Fidelity of all his Subjects. I refused to answer them, letting him know that they were written with too much Presumption, in the Style of Equality, and with inapplicable Professions, which were no better than none. Some of these Letters will appear in the Appendix; the rest were lost (^c).”

Read, also, from Page 49, as follows :

“ The News of these concurrent Successes being conveyed to the Rajah at the same Instant of Time, alarmed him exceedingly for his own personal Safety. His Fears were excited with a more forcible Impression by the Surprise of the Advance of so great a Force, from a Quarter where he had not expected any. With his Face turned towards Chunar, and his whole Attention, and that of his People, directed to the Movements which we made on that Side, they had no Suspi-

(^a) See the Whole of the said Extract *supra*, from Page 109 to Page 120, inclosed within the Brackets, and the Hands pointing thereto.

(^b) Vide the Narrative *supra*, Page 122.

(^c) Vide *supra*, Page 127.

cion of any Design being formed behind them.—The first Intelligence which was received of Major Crabb's Party described it as consisting of the Followers of Owsan Sing, and only Three Companies of our Sepoys; the Hircarrahs who conveyed the News, possibly mistaking the advanced Guard for the whole Force, and reporting it accordingly; nor was the real Strength of the Party known, even by that which was detached to oppose it, until the Instant of the Action. This Circumstance was related at the Time, and has since been confirmed to me by an Officer named Myher, who commanded a small Body of the Rajah's Sepoys, and the Guns, in the Action. No Design could be more judiciously planned, or more happily executed. Even the Impediments and Disappointments which attended it, served but to promote the Coincidence of the final Movements of its Operations, with so well timed an Effect, that the Difference of the Time which passed between the Engagement at Lora and the Conquest of Pateeta, was little more than that which would be required by the Difference of the Distances of each from Lutteefpoor, for the News of each Success to reach Lutteefpoor at the same Instant.

"Cheit Sing instantly prepared for Flight. His Road to Bidjeygur, which was his last Refuge, lay through the Pals, which he durst not attempt. He left Lutteefpoor about Three or Four in the Afternoon, and making a Circuit over the Hills, gained the High Road at the Distance of some Miles beyond the Pals, and proceeded with a few Followers to the Neighbourhood of Bidjeygur: Some others followed and re-joined him; the rest, left without Orders, stayed but to plunder the Place, and evacuated it. The Gaung-Wallahs, or Militia, composed of the Husbandmen, who had been summoned to attend him, all fled to their own Houses. So rapid was the Report of this Event in it's Communication, and so decisive in it's Effect, that the Fort of Sutteefgur, which lies about Seven or Eight Miles to the Northward of Lutteefpoor, and the Palace of Ramnagar, were evacuated on the same Evening; and the Allegiance of the whole Country restored as completely, in the Course of a few Hours, from a State of universal Revolt to it's proper Channel, as if it had never departed from it (*)."

The Managers for the Commons informed the House, the next Extract they should read was to prove the Appointment of the Rajah Mehipnarain to be Rajah of Banaris.

Read, from Page 51 of the said Narrative, as follows:

"My first Care, after my Return to Banaris, was to determine the Succession to the Zemeedary and Rauje, vacated by the Forfeiture of Cheit Sing. The Right of the Company to the Disposal of it certainly had not suffered by the past Events. The Territory had been wholly lost to their Dominion, and wholly conquered by their Arms. Yet the Rest of the Family who formerly possessed it had not merited, by any Act of theirs, to be involved in the Punishment of a Man who had been equally their Enemy, and whom they regarded as the Usurper of their more legal Rights; nor perhaps would it have been prudent to put the Submission of the People to the Test of a new Species of Dominion. I therefore resolved, in virtue of the full Powers which I possessed from the Board for that Purpose, to bestow it on the next lineal Heir. This was Bauboo Mehipnarain. He was the Grandson of Rajah Bulwant Sing, by a Daughter married to Bauboo Doorgbijey Sing. The Widow of Bulwant Sing, named Ranny Goolaub Kooer, was still living, and in an extreme old Age. By the Hindoo Law she might claim the Inheritance; her Daughter also, the Wife of Doorgbijey Sing, might assert the like Pretension. Had it become a Matter of Contest, I had resolved to leave it to the Decision of the whole Body of the Pundits of Banaris. But this Reference was unnecessary. Doorgbijey Sing yielded up the Pretension of his Wife, and the old Ranny her own, by a Writing, sealed with her Name, and acknowledged in the Presence of a confidential Person, whom I deputed to her for that Purpose; declaring it to be her Wish and Request, that the Rauje might be conferred on her Grandson Mehipnarain. He was accordingly invested and proclaimed on the 30th of September. His Father Bauboo Doorgbijey Sing was at the same Time invested with the Office of Naib, and is in Effect the sole acting Manager. He is about Thirty-five Years of Age—his Son Nineteen (b)."

Read, also, from Page 52 of the said Narrative, as follows:

"After having gained Possession of Lutteefpoor, Major Popham lost no Time in prosecuting his March to Bidjeygur. Cheit Sing did not wait his Approach, but fled, taking with him as much Treasure as his Elephants and Camels could carry, which has been reported to me to have consisted of One Lack of Mohrs, and Fifteen or Sixteen of Silver (c), besides Jewels to an unknown Amount. His Wife, a Woman of amiable Character, his Mother Pauna, and all the other Women of his Family, and the Survivors of the Family of his Father Bulwant Sing who were connected with his, were left in the Fort of Bidjeygur. He took the Rout of Rewa, and from thence proceeded to Panna, the Capital of Boondelcund, paying and plundering as he passed. He was by the last Advices in that Country, the Rajah professing in his Letters to me a Resolution to withdraw his Protection from him, and secretly favouring him (c)."

(*) Vide supra, Page 128 to Page 129.

() Amounting to about 400,000l. Sterling.

(b) Vide supra, Page 129.

(c) Vide supra, Page 130.

Then the Managers for the Commons acquainted the House, they should next read an Affidavit of Major Palmer, to prove the Allegation in the First Article of the Charge, which states the Intention of the Defendant to extort a large Sum of Money, by way of Fine, from the Rajah Cheit Sing. (*)

Read, Appendix to the Narrative, Part III. p. 157.

" Second Parcel,

(Num. 2. A.)

Affidavit of Major Palmer.

" William Palmer, Major in the Service of the Honourable the East India Company in Bengal, maketh Oath and faith, That about the latter End of the Month of June last, the Honourable Warren Hastings Esquire, Governor General of Bengal, discoursing with this Deponent on the Subject of his intended Journey to Banaris and Lucknow, declared one of the principal Objects of it to be, to exact from Rajah Cheit Sing a Fine or Contribution of Fifty Lacks of Rupees, as a Punishment for Breach of Engagements with the Government of Bengal, and for Acts of Misconduct in his Zemeedary. The Governor General further declared to this Deponent, that he knew the Ability of the Rajah to contribute such a Sum to the Exigences of Government; and that he, the Governor General, was determined to convert the Faults committed by the Rajah into a public Benefit. The Governor General further declared to this Deponent in the same Conversation, That an Offer from the Rajah, but indirectly, had been made to him of Twenty Lacks of Rupees for the public Service, as a Retribution for his Failure of Engagements; but that he, the Governor General, was resolved to insist upon the first mentioned Sum of Fifty Lacks of Rupees, and if the Rajah should absolutely refuse the Demand, that he, the Governor General, would deprive him of his Zemeedary, or transfer the Sovereignty thereof to the Nabob Vizeer.

W. PALMER.

Sworn before me, this 4th Day of December, 1781. E. IMPEY. (*)

To prove the same Facts stated in the Affidavit of Major Palmer, and also the Transaction charged in the First Article to have passed between Mr. Hastings and the Vizier, relative to the Province of Benares;

Read, Appendix, p. 158.

" (Num. 2. B.)

Attestation of David Anderson Esquire.

" To the Honourable Warren Hastings Esquire.

" Honourable Sir,

" In Obedience to your Commands conveyed to me through Major Palmer, I shall endeavour to repeat, as well as I can remember, the Purport of what you were pleased to inform me before your Departure from Calcutta, of your Intentions regarding Cheit Sing; but as so long an Interval has since elapsed, my Recollection, which has never been strengthened by a Communication, must necessarily be somewhat imperfect.

" After enumerating some of the Resources which you expected to find up the Country for the Relief of the Company's Exigencies, you mentioned to me the Conduct of Cheit Sing.

" You observed, that he owed his Elevation to the Company; that he was allowed to enjoy a very considerable Income, the Revenue exacted from him being much inferior to the Produce of his Districts, and that his Territories were maintained and defended by the English Army; that on those Considerations it had been reckoned equitable, that he should contribute on an Emergency to the Support of Wars carried on by that Government under which he held his Zemeedary, and to which he was indebted for its Protection. Accordingly you mentioned that a Sum had been demanded from him; that, after some Difficulties, he had agreed to pay it at a certain Period; that, trusting to his Promises, you had made an Assignment on him for the Use of Colonel Camac's Detachment; and that Colonel Camac, relying on his Punctuality, had returned a Bill for a less Sum, which had been sent to him by Mr. Middleton; but that this Confidence had nearly proved fatal to the Detachment, and actually did prove the Cause of retarding the Expedition; that Cheit Sing, in Spite of all the Representations which were made to him, delayed so long the promised Payment, that the Officers of the Detachment were reduced to the Necessity of selling their Plate; that you therefore determined to call him to an Account, and oblige him to make an Atonement for his Conduct in this Instance, and the Want of Attachment he had in general shewn to our Government, by paying a considerable Sum of Money to the Relief of the Company's Exigencies; that if he consented, you were desirous of establishing his Possession on the most permanent and eligible Footing; but, if he refused, you had in your Power to raise a large Sum for the

(*) Vide printed Articles, Bottom of p. 5, and Top of p. 6.

(*) Vide supra, P. 232.

Company, by accepting of an Offer which had been made for his District by the Vizeer. You minuted the Particulars of Cheit Sing's Conduct in an Account which you drew up in Calcutta, of the State of the different Powers of Hindostan, though I do not believe that in that Paper you expressed the Intentions you had formed: And I remember you told me that you had communicated to Mr. Wheeler your Intentions regarding Cheit Sing; and I believe (though I cannot positively recollect) you said he had concurred in them.

I am, with the greatest Respect, &c.

D. ANDERSON. (*)

Mahdajee Sindia's Camp, near Dutteah,
the 14th January, 1782.

Then the Managers for the Commons acquainted the House, they should next proceed to read several Affidavits of Natives. That the First they should produce particularly respected the Escape of the Rajah Cheit Sing, and what happened upon that Escape; and all of them went to prove the Massacre and confirm the Narrative in other Particulars.

Read, Appendix, Part III. P. 163, as follows:

“(Num. 3. E.)

“TRANSLATION of the Deposition of Jewan Ram Moonshy, in the Service of the late Lieutenant Stalker.—The Deponent sworn before Chief Justice Sir Elijah Impey, December 2nd, 1781.

“After the Arrival of Mr. Markham at Shewallah, I went in and paid my Respects to my Master; who asked me, If I knew whether Mr. Markham would come there or not? I replied, It was reported so; but that it depended on his Inclinations. Mr. Stalker then told me I might go, but afterwards ordered me to stay. I continued there, and saw Doorgbijey Sing sitting with the Rajah in the Centre Apartment, and Suddanund Buxey and others whispering to the Rajah. Shortly after, News was brought to the Three Gentlemen sitting in the adjoining Room that there were Disputes without. Mr. Stalker went without the Jauli (or First Wall), and asked the Subadar Bishun Sing, Why he had ordered the Bayonets to be fixed? The Subadar replied, That Numbers of the Rajah's armed Servants had come in, and that they paid no Regard to the Company's Orders. After which, Mr. Stalker advanced further out, and asked of the younger Mowllavy and me, Who amongst those People was the Chief? I answered, Bauboo Munnear Sing. Mr. Stalker sent for Munnear Sing, and strongly enjoined him to appease his People, and enquire why they attempted to dispute and fight with his Sepoys? Munnear Sing replied, “What Power have they, that any one of them should presume to fight? We Two, Father and Son, are desirous to go to the Rajah.” Mr. Stalker answered, “Very well; but you must stay here between your People and mine, that they may not come to Blows.” After that a Letter arrived from the Governor to the Rajah, which Mr. Stalker, having quieted and soothed the People, presented to him. The Rajah then got up, and went out of the Burradurry to the adjacent Bastion to perform his Devotions. At this Time Information was brought to Mr. Stalker, that the Rajah's People opposed and refused Admittance to another Company of Sepoys, who had brought Provisions, a Table, &c. for the Gentlemen. Mr. Stalker again went out, and calling to Suddanund Buxey, asked the Cause of this Opposition; and told him to send Directions (to the Rajah's People). Suddanund said, he would go himself. Mr. Stalker replied, “No, send One of your Servants.” While the Man was going out to silence the People, Mr. Stalker returned within the Jauli. Doorgbijey Sing was gone from thence; no one knew whither. Cheit Ram, Mr. Markham's Chubdar, informed Mr. Stalker that he had a Message to deliver to the Rajah from the Governor General. Mr. Stalker said, “Deliver it.” He the Chubdar said, at the Place where the Rajah was at his Devotions, “the Governor says your People want to quarrel and fight; it will be better if you forbid them, for every Sepoy is an European, and every European is as a (or the) Company: If a Drop of their Blood is shed, you shall be plundered and destroyed.” At this Period there was a Report of Guns at the Gate of Shewallah. The Action was commenced. At this Time Mr. Stalker and Cheit Ram went towards the Rajah. Munnear Sing and others cut down Cheit Ram, pulled Mr. Stalker back, and pushing him on one Side, began the Slaughter. The Rajah escaped through a Window by a Rope made of Turbans, got into a Boat, and went off. His People, by the same Means, drew up Swords and Shields as a Bucket is drawn up from a Well, and began to engage. I stood near the Jauli behind my Master. When my Master was killed, I fled toward the Place where the Rajah's Victuals was dressed. I continued there a short Time, and saw the Rajah's People jump from the Walls and the Trees, with their Shields and Swords, and advance. After this I assumed the Character of One of Cheit Sing's Servants, fled with his People, and came to the Presence. The Gentlemen after this went to Chunar, and I should have arrived the next Day, but I was plundered on the Road, and confined in the Fort of Pindera. Diaram took away from my House Two Tangon Horses, and placed his Seal and a Guard upon the Door. After the Flight of the Rajah, the Zemcedar of the before mentioned Fort set me at Liberty. Without a

(*) Vide supra, P. 232.

Master, every Way disconsolate, to whom can I communicate my Distress? I now hope for Favour and Support from the Almighty and from you.

Jewan Ram." (')

Read next, Appendix, Part III. P. 189, as follows :

" (Num. 5. E.)

" Deposition of Ruggoobur Sing, Orderly Sepoy to Lieutenant Stalker.

" The Deponent (upon his Oath) says, He went with Lieutenant Stalker and Mr. Markham to Shewallah, where the Rajah Cheit Sing resided; and that he went with them into the Presence of the Rajah; that shortly after Two Companies of Sepoys arrived with Two Gentlemen, whose Names the Deponent does not remember, being a newly enlisted Sepoy; that those Two Officers came in and continued with the Rajah and Lieutenant Stalker; that he, the Deponent, was directed by Lieutenant Stalker to attend, with Three other orderly Sepoys, in the Apartment where the Officers were sitting with the Rajah; that the rest of the orderly Sepoys remained without the Purdahs, which were let down in the Front of the Apartment; that he is unacquainted with what passed without the Gate where the Two Companies were, or what People were there on the Part of the Rajah. The Deponent does not recollect, nor can he, he says, relate the Circumstances which passed before the Attack commenced; but in reply to a Question put to him, Whether Mr. Markham's Chubdar Cheit Ram spoke to the Rajah? he says, that said Chubdar brought a Note to Lieutenant Stalker, at the Time when the Rajah's People without were endeavouring to enter; that he delivered the Note to Lieutenant Stalker; that at this Time the Noise and Confusion at the Gate-way was very great; that the Chubdar went from Lieutenant Stalker toward Cheit Sing, who was then sitting at the Place where he performed his Devotions; that he told him to order his People to desist; that he, the Chubdar, was Cheit Ram, and that the Rajah was but Cheit Sing, and that if he did not make his People desist he would confine him. Says, he was an Ear-witness to the foregoing; that it was at this Moment the Firing was heard and the Attack began; that Lieutenant Stalker's Hircarrah had his Sword; that he called to this Deponent to give him his Sword, which he did, and stood behind Lieutenant Stalker, by his Orders, with the Scabbard in his Hand, until that Officer fell; that he was soon after cut down himself; that he was deprived of Sense, and knows nothing of what passed afterwards.

" Sworn before me, the Contents being first explained to the Deponent, by W. Davy, Esq; this 3d Day of December 1781.

E. Impey."

The Mark of
Ruggoobur Sing,
Sepoy." (b)

Then the Managers for the Commons acquainted the House, that they wished to point their Attention to Two other Affidavits of Natives; the One an Affidavit of Sheakh Hossain Oolla, Jemadar, Havildar and Orderly with Lieutenant Stalker, at the Time of the Action at Shewallah Ghaut, in P. 186 of the Appendix, marked (N^o 5. C.) (c); the other, an Affidavit of Bisheh Sing Subadar, (marked N^o 5. D.) P. 187, of the said Appendix (d), and which they meant to have produced, as being strong to the same Point as the two Affidavits last read: But as they were to the same Effect, in order to save the Time of the House, they should omit reading them; and proceed next to prove the Submission of the Rajah Cheyt Sing, by certain Letters which they filed *Letters of Submission*, and which Letters were written by him subsequent to his quitting Benares: The Letters hitherto read in the Course of the Evidence were all prior to that Event.

Read, Appendix, Part II. P. 106, as follows :

" N^o 72. The Two following Letters were sent from Ramnagur by Teekchund to Govind Ram Pundit at Banaris, and delivered to the Governor General by Beneram Pundit, on the 5th September 1781.

" Translation of an Arzee from Rajah Cheit Sing to the Honourable Governor General.

" When I waited upon your Highness in your Pinnace, I represented to you every Thing which was proper to be represented; that my Life, my Country, and Property, belonged to your Highness; requesting that you would order whatever was your Pleasure, and I was ready to obey it with Pleasure. I besides performed all the Duties of Obedience and Humility; and represented all the Particulars, with a View to the present Time; for I well knew that, as soon as Owsan Sing should be introduced to your Highness, Mr. Markham and the Moulavies, &c. having settled this Plan, would make you conceive Displeasure against me. At that Time your Highness answered, that you had no Business with my Life or Property; that you had not given Admission to Owsan Sing or any of his People; that you had no Connection with any of my

(') Vide supra, P. 235. (b) Supra, P. 251. (c) Supra, P. 249. (d) Supra, P. 250.

Relations. What Crime did I afterwards commit that, by the Advice of my Enemies, you should resolve to confine me with such Disgrace? However, I remained until Evening in Confinement, and behaved in no Instance otherwise than with the greatest Humility and Obedience. I addressed several Arzees, expressing my Readiness to obey your Orders, and that I was your Slave, and was ready with my Life and Property. Observe, that Cheit Ram Chubdar came to me, and reviled me with a loud Voice gave both me and my People the vilest Abuse. The People of the Sirkar first fired Balls from their Guns, and discharged their Muskets: Immediately the Tumult arose, and notwithstanding my most earnest Request for them to desist, no one would hear me. Myself, after being wounded by a Sword in the Hand of the Captain, escaped with Life from that imminent Danger, and withdrew myself. If you will examine with an Eye of Justice, and without listening to Talebearers and Informers, you will find no Crime in me; and your Mind, which is the Mirror of the World, will, I am certain, approve of it. I have before addressed Arzees to you, but have not yet been honoured with an Answer. Owsan Sing has not yet ceased from ruining the Affairs. Should now my Life and Honour be left to me, I am your Slave. Beneram Pundit will have represented my Situation to you, and will continue to do so." (*)

Then the Managers for the Commons stated, that to save Time they would pass over Two other Letters, and proceed to N° 76. Appendix, P. 109.

The same was read, and is as follows.

" N° 76. From Cheit Sing to the Governor General.

" Before this, the Arzees, which I have repeatedly addressed to your Presence, will have been perused by you, but to this Time I have not been honoured with an Answer to any one of them. I am in every Way ready in my Allegiance and Duty, and have obeyed all your Highness's Orders, and never have I been negligent in any one Point; and your Highness, from your Goodness and Justice, has always been pleased to protect and support your own Slave, and to shew him Favour. All this Time when, from the unfortunate State of the Times, the Reports of self-interested Persons have met with Reception at the Presence, I humbly represent that the Words of evil-minded, self-interested Persons be not attended to, but that your Highness, looking upon me as a Slave raised by yourself, will be favourable towards me, because I am your Slave, and am ready in my Duty and Allegiance. Although I have been guilty of no Fault, yet the Slave is by all Means criminal, and the Business of the Master is Pardon. By the Blessing of God, your Highness is the Master, and is just. Let him consider, that in all the Three Battles the Army of the Sirkar was the Aggressor. Now Matters have passed the Extremities. Should you even now bestow Life upon me, it would not be foreign from the Duty of a Master." (b)

Dated the 21st of Ramzaun.

Then the Managers for the Commons stated, that having brought the Matter to that Part of the Charge which relates to the Storming and Surrender of Bidjeygur, they should presently proceed to call Evidence upon that Head. And in the mean Time they would fill up the Evidence which was left unfinished Yesterday, owing to the Accident of not having the Records of the East India Company at Hand.

And first, With respect to the illegal Delegation to Mr. Hastings, the House would be pleased to recollect that they had produced the Minutes of the Council of the 21st of May 1781, and the Minutes of the Council of the 3d of July 1781, by which they had shewn Mr. Hastings's Motive for desiring that Delegation, the Appointment of himself (Mr. Hastings) to conduct the Business of the Supreme Council, with all the Authority of that Supreme Council, wherever he should be;—The Authority to Mr. Wheeler to conduct all the Business of the Supreme Council, with all the Authority of the Supreme Council at Calcutta, and in the Provinces of Bengal, Bahar, and Orissa; and Mr. Hastings's Credentials. That they had referred to the Stat. 13 Geo. III. c. 63. sect. 7. which attaches upon the Two Standing Orders of the Company, the One of 1702, and the other of 1736; and that the Situation of the Evidence, with respect to those Orders, was as follows: They had produced the Original Drafts of those Orders sent out to Bengal by the Court of Directors, and the Names of the Ships in which they were sent out, docketed upon the Papers: That an Objection had been taken, that there was no Proof of the Orders having arrived at Calcutta; and therefore the Managers, without waving their Right to insist upon that as sufficient Evidence, were now to prove that these Documents did arrive at Bengal, which they should do in the following Manner: First, as to the Orders of 1702, they should prove the Transmission of the Standing Orders from Bengal to Europe, in consequence of the Request of the Court of Directors: And, Secondly, They would shew the Arrival of the Standing Orders of 1736 at Calcutta. Having

(*) Vide supra, P. 204.

(b) Vide supra, P. 206.

done that, they should next request the Attention of the House to the Clause of the Act of Parliament attaching upon these standing Orders; and, lastly, to conclude the Subject of the Delegation, they would produce a Paragraph of a Letter from the Court of Directors, in the Year 1778, to shew that those Parts of the Authority conferred by the Delegation, which regarded the Command of the Military, were particularly rendered illegal by the Orders of the Directors contained in that Letter.

Then Mr. Robert Hudson was again called, and produced Book 59, indorsed as follows, " 1702 to 1727, Bengal Standing Orders."

Then the Witness was asked,

Q. Is that a Letter from Bengal to the Court of Directors?

A. No.

Q. What is it?

A. The standing Orders transmitted from Bengal at the Request or Order of the Court of Directors.

Q. Were they transmitted by Letter from the Council of Bengal to the Court of Directors?

A. They were.

Q. What is the Date of that Transmission?

A. 3d February 1728-9.

Q. Was there any subsequent Transmission of the standing Orders of Bengal to the Court of Directors here that you know of?

A. There was a subsequent Transmission of the Orders in the Year 1737.

Q. Do you know of any other Transmission since the Year 1737?

A. There is another Book of the standing Orders, brought down as low as the Year 1753.

Q. Were those likewise transmitted from Bengal?

A. From Bengal.

Q. Has there been any Transmission from Bengal since the Year 1753?

A. I believe not.

The Counsel for the Defendant stated, That in the Year 1756, when Calcutta was taken, every Muniment of this Sort was, as they understood, destroyed. They wished therefore to know whether, at the Time of Mr. Hastings being appointed to the Government, there remained subsisting on Record at Calcutta any standing Orders of this Sort denoting his Duty.

The Counsel were asked, whether they meant to found upon this any Objection to the reading of these standing Orders.

The Counsel replied, they did not; that they had no particular Objection to reading the standing Orders, if taken with this Explanation—that Mr. Hastings had no Notice of them.—In other Words, that the Orders having been destroyed in 1756, and no Renewal of them sent to the Governor and Council at Calcutta, the Managers ought to prove Notice to Mr. Hastings, or they could not affect him.

The House observed, that it appeared the standing Orders had been transmitted from 1702 to 1753, at the last of which Periods it would appear, when they came to be read, what the standing Orders of the Company to the Governor and Council at Bengal were; and that the Question, whether they came to the Notice of Mr. Hastings, was a Matter for after Consideration.

Then the Managers for the Commons, in answer to the Objection taken by the Counsel for the Defendant, desired to observe, that the Seventh Section of Stat. 13 Geo. III, c. 63, by which Mr. Hastings was appointed Governor General of Bengal, is to the following Effect, " That the whole civil and military Government of the Presidency, and also the Ordering, Management, and Government, of all the territorial Acquisitions and Revenues, &c. are thereby vested in the said Governor General and Council, &c. in like Manner, to all Intents and Purposes, as the same now are, or at any Time heretofore might have been exercised by the President and Council, or Select Committee, in the said Kingdoms." That as there was no Dispute at all concerning the Production of the Book by which the Existence of those standing Orders had been proved, the Act of Parliament attaching upon them was complete and absolute Notice of them to the Defendant.

Upon which the Counsel for the Defendant were again asked, whether they did or did not mean to object to the standing Orders, that were sent to the Company antecedent to the Year 1756, being read? The Counsel replied, that they did not object to their being read, under the Observations they had before taken the Liberty of submitting to the House. Whereupon the Managers for the Commons were informed they might proceed to read those standing Orders.

Read, the following Extract from Book 59, Page 183.

" Fort William Standing Orders, N^o 23.
Received per Stretham, 10th September 1729.

In the Com-
mission dated
26th Feb. 1702.

" Par. 4. Having heard Complaints of some Irregularities in some of the Factories of either Companies, we do strictly enjoin that all our Affairs be transacted in Council, and ordered and managed as the Majority in Council shall determine, and not otherwise upon any Pretence whatsoever, and to that End, that all of the Council do reside upon the Place; and though we hope you will be unanimous in the Pursuit of our common Interest, yet if on Occasion it happen that your Votes are equally divided, the same must be determined by Lot, as we by our new Charter are directed in such Case to do."

Then the Witness produced Book 57, indorsed, " Fort William Standing Orders, Collected for 12 Years, No. 6. Received 7th August 1739, per Wager."

Read, the following Extract.

" Per Ship Nottingham,
Dated 9th February 1736-7.

All the Com-
pany's Affairs
to be trans-
acted in Coun-
cil.

" Our Orders are, that all our Affairs should be regularly transmitted * in Council, and every Member duly summoned to attend."

The Managers for the Commons observed, That the Word "*transmitted*" was a Mistake, and should have been "*transacted*."

Then the Managers for the Commons desired the Witness might be asked,

Q. Whether the Orders which had been read, are not now considered by the East India Company as the standing Orders for the Direction of their Servants in Bengal?

A. We always consider them so.

Q. Do you happen to know if they have been varied by any subsequent Orders?

A. I do not know of any.

Q. (*Cross examined.*) Have you made any Search to see whether there were any subsequent Orders?

A. I have not; but I have gone through the Correspondence so frequently, that if there had I must certainly have known it.

Q. Whether there were not Orders contradictory to those Orders, namely, to the Order in 1702, that all the Council should reside upon the Spot; and to the Order of 1736-7, that every Member should be duly summoned to attend?

The House observed, That if there were subsequent Orders of the Company in any Manner varying from the Orders that had been read, the proper Evidence of that would be to produce them, and then the Fact would appear; but the Witness could not give distinct Evidence of what is in Writing.

The Counsel for the Defendant said, They did not ask the Question for the Purpose of giving Evidence of the subsequent Orders, but to impeach the Memory of the Witness, by leading his Recollection to Orders which varied the former Orders, though he had said there were none.

The House observed, That nothing would be concluded by whether the Witness did, or did not remember the Whole of the Records of the East India Company; that nothing turned upon it. If there were other Orders they must be produced, and then the Fact would appear.

Then the Witness produced Book 58, intituled, " Bengal Dispatches 7th January 1774 to 15th December 1775."

* Sic in Orig. See the Abstract in the Margin, and also the Extract of the Draught of the Company's General Letter to Bengal, of the 9th February 1736, *supra*, Page 106.

Read, the following Extract, beginning at Page 49.

" 29th March 1774.
 " P. 49. Instructions from the Court of Directors of the United Company of Merchants of England trading to the East Indies—To Warren Hastings, Esquire, Governor General; Lieutenant General John Clavering, the Honourable George Monson, Esquire, and Philip Francis Esquire, Counsellors, constituted and appointed the Governor General and Council of the said United Company's Presidency of Fort William in Bengal, by an Act of Parliament passed in the last Session, intituled, ' An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe.'

Read, from same Book, Page 70.

" Par. 39. It is also our express Direction, that you not only strictly attend to the standing Orders of the Company, communicated to their Presidency of Fort William, but to all such Orders and Instructions as the Court of Directors have transmitted to the Governor and Council, or Select Committee of the said Presidency, and in an especial Manner to those which any Ways relate to forming proper Statements of our Revenues, and to the keeping of our Treasury Accounts; and if any of our Orders remain unexecuted, you are to take care that the same be carried into Execution in every Instance wherein they have not been annulled by the before mentioned Act of Parliament, or superseded by our present Orders and Instructions.

(Signed at the End)

London,
 29 March 1774.

George Cuming,	Edw ^d Wheler,
Joseph Sparkes,	John Harrison,
Pet. Lascelles,	J ⁿ Woodhouse,
Cha ^r Boddam,	Sam ^l Peach,
J ⁿ Michie,	Fred ^k Pigon,
Cha ^r Chambers, junior,	Daniel Wier,
R ^d Hall,	W ^m James,
John Smith,	T. B. Rous,
	George Tatem."

Then the Witnesses produced Book 41, " intituled, Bengal Dispatches, 30th January 1778 to 28th December 1778."

Read, from Page 378 of the said Book, the 9th Paragraph of a Letter from the Court of Directors to the Governor General and Council at Fort William in Bengal, dated London, the 7th May 1778, and signed,

W ^m Mills junior	G. Wombwell,
Cha ^r Boddam,	W ^m James,
Sam ^l Peach,	Ben. Booth,
Tho ^s Cheap,	Joseph Sparkes,
G. Tatem,	J. Purling,
R ^d Hall,	J ⁿ Michie,
Rob ^t Gregory,	Rich ^d Becher,
J ⁿ Woodhouse,	W. Devaynes,
L. Sullivan.	

" Par. 9. As we do not intend that our Governor General shall at any Time exercise Military Command beyond the Limits of the Garrison of Fort William, it is our Order, that whenever the said Governor General shall find it necessary to be absent from the Presidency, his usual and accustomed Body Guard only shall attend him, and remain under his Command during such Absence as aforesaid; and the same Rule is to be observed respecting every President and Governor at our other Settlements."

Then the Managers for the Commons stated, That there was another Chasm left in the Evidence of Yesterday respecting the Recall of Mr. Fowke, and the Appointment of Mr. Markham to be Resident at Banaris, which they should now supply, in order to shew the Intention and View of Mr. Hastings in making that Appointment, and in his subsequent Journey to Banaris.

Then the Witnesses produced Book 54, intituled, " Bengal Secret Council, from 4th January to 29th March 1781."

Read,

Read, the following Extract from a Consultation of 14th January 1781, beginning at Page 133 of the said Book.

“ Fort William, 14th January 1781.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
and Edward Wheler Esquire.

Lieutenant General Sir Eyre Coote, K. B. absent on Command at Fort St. George.

“ The Governor General delivers in the following Minute.

“ Governor General.—While this Government is charged with such extensive Concerns, and hath to contend with Difficulties equal perhaps to those in which even the supreme Administration of the British Empire is at this Period involved, it may at least claim as a Right what, under any other System of Government that hath ever yet existed, would be imposed on it as * indispensable Obligation, to employ and exercise the Powers which are inherent in its Constitution, and which are immediately necessary to the Support, and eventually to the Existence of those essential Interests which it holds in Charge. On this Principle I claim the Right of nominating the Agent, of my own Choice, to the Residency of Benares. It is a Representative Station, and cannot, without a Contradiction, be the Charge of a Man not preferably chosen to it, by the Members of the actual Government, and holding it by an Authority independent of theirs. Speaking for myself alone, it may be sufficient to affirm, that Mr. Francis Fowke is not my Agent; that I cannot give him my Confidence; that, while he continues at Benares, he stands as a Screen between the Raja and this Government, instead of an Instrument of Controul; and that the Raja himself, and every Chief in Hindostan, with whom we are in Connection, will regard it as the Pledge and Foundation of his Independance.

* Sic in Orig.

“ To Mr. Fowke himself I have no personal Objection: I approve his Conduct, and esteem his Character; and I believe that I might depend upon his exact and literal Obedience and Fidelity in the Execution of the Functions annexed to it. My Objection I have stated above, and it is insuperable.

“ The Person whom I have chosen to succeed him I consider as standing in the same Degree of Confidence and Estimation with Mr. Wheler as myself. I adopted him (if I may so express myself) from his Family and Patronage, and assigned him an Office of the highest Trust near my own Person, with Mr. Wheler's Approbation; and from a Foresight of the Event which has since made us the Copartners of this Government, and which suggested to me the Propriety of employing such Agents as would be agreeable to him, while they possessed the other Requisites for my own Confidence. I therefore think him, on every Consideration, the fittest to fill the Office in Question.

“ I therefore move that Mr. Francis Fowke be immediately removed from the Residency of Benaras, and that Mr. William Markham may be appointed to it in his Stead.

“ While I thus acquit myself of what I conceive to be a public Duty, it is my Desire at the same Time to indemnify Mr. Fowke from the Consequences personally attending it towards him.

“ I therefore move, that he be at the same Time invested with the Appointment of Agent for the Provision of all Boats to be employed for the Military Services of this Establishment, with an Allowance of a Commission of 15 per Cent. upon all his Disbursements in this Office; that the executive Charge thereof take Place from the Period of the Expiration of Colonel Morgan's present Contract, and that until that Time, and for Three Months following it, he be allowed to draw his present Allowance of 1000 Rupees per Month.

“ I propose this Method in preference to a Contract, because I am convinced from Experience, that the Service will be better performed by this Alteration, although it is liable to one material Objection in its natural Influence on his Expenses. This is a Defect which can only be corrected by the Probity of the Person who is entrusted with so important a Charge; and I am willing to have it understood, as a Proof of the Confidence which I repose in Mr. Fowke, that I have proposed this Appointment in Opposition to a general Principle to a Trust so constituted.

“ I move also, that Mr. John Benn be appointed Assistant to the Resident at Benaras.

“ Mr. Wheler delivers in the following Minute.

“ Mr. Wheler.—I accede to the Propriety of the Governor General's Arguments, and think them particularly applicable to the present State of this Government. I am also highly flattered by the Choice the Governor General has made of a Gentleman to fill this important Station, who was formerly under my Patronage, and who is still in my Confidence: But as Mr. Fowke has not yet signified his Willingness to accept of the Compensation proposed to him in Exchange for his present Appointment, I must decline giving my Assent to his immediate Removal.

“ The Governor General's Motion being agreed to,

“ Resolved, That Mr. William Markham be accordingly appointed Resident at Benaras, and Mr. John Benn his Assistant.

“ Resolved, That Mr. Francis Fowke be invested with the Appointment of Agent for the Provision of all Boats to be employed for the Military Services of this Establishment, with an Allowance of a Commission of 15 per Cent. upon all his Disbursements in this Office, the executive Charge of which is to take Place from the Period of the Expiration of Colonel Morgan's present Contract; and that to that Time, and for Three Months following it, he be permitted to draw his present Allowance of 1000 Rupees per Month.

Then the Managers for the Commons stated, That this closed the Evidence which had been left unfinished on the preceding Day; and they should now proceed upon the remaining Part of the Article; but that before they entered upon the Evidence relative to the Capture of Bidjegur, they would prove one Circumstance in Illustration of that Part of the Charge which respected the Proceedings at Benares.

They desired the House to recollect, that it had been stated as a particular Severity to put an Hindoo under Arrest*; therefore they would now produce a Letter from Shujah ul Dowlah to Mr. Hastings, the Governor General, where that Sentiment was expressed, and which Sentiment had actually been put upon Record by Mr. Hastings himself. Introductory to which, they added, it might be proper to inform them, that in 1773 Mr. Hastings made a Journey to the Upper Provinces; that he there concerted various Schemes with the Vizeer, among the rest a Scheme for the Extirpation of the Rohillas; that Colonel Champion commanded the British Army upon that Expedition; that the Vizeer complained of the Colonel by Letter to the Board, upon the Receipt of which he was put upon his Defence; and this was the Letter.

* Vide printed Articles, Page 6.

The Commons further stated, That they produced this Extract to shew, by the best Evidence they thought the Nature of the Thing would admit, that the Disgrace of the Rajah Cheyt Sing was in the Eyes of all the Europeans, and People of Hindostan, particularly severe to him.

The Witnes produced Book 60, intituled, "Fort William Country Correspondence, received from 1st January to 29th December 1774."

Read, Extract of a Letter from the Nabob Sujah ul Doulah to the Governor General, received on the 28th November 1774, as follows:

"My Friend,

"The Case is, that all the Infantry in my Service know the Custom of the Army, that if any One commits a Fault, he will be imprisoned for it, and think nothing of being put under a Guard; but there are other Hindostanies, and the Nejeeb Battalions, and others in my Service, who consider it as the highest Disgrace to be put under a Guard; and if any one attempts it, they will defend themselves against it, and rather lose their Lives than submit to such a Dishonour."

Then the Managers for the Commons stated, That they wished now to call the Attention of the House to the Letters or Orders issued by Mr. Hastings to Colonel Popham, respecting the Attack of Bidjegur and the Prize Money; previously remarking, that the First Letter they should produce would be read from a Copy, without either Address or Conclusion. They observed, it had been contended this was a Letter of a private Nature; that it had begun, "Dear Sir," and concluded in the same Manner: and Mr. Hastings having shewn he intended to make that Distinction between public Orders and private Letters, they should read it, subject to the following Observation; that no doubt the House would judge from the Letter itself, without regarding Addresses or Conclusions.

Then the Witnes produced Book 17, intituled, "Bengal Public Consultations, from the 23d May to the 3d July 1782;" and the Managers for the Commons desired an Extract of a Consultation held on the 23d May 1782, beginning at Page 12, might be read.

The Counsel for the Defendant wished that the Introduction to the said Extract might be read.

Read, the following Extracts, beginning at Page 7 of the said Book.

"Fort William, 23d May 1782.

Pub. Dept.
Thursday.

"At a Council; Present,

The Honourable Warren Hastings Esquire, Governor General, President.

Edward Wheeler,

and John Macpherson,

} Esquires.

Lieutenant General Sir Eyre Coote, K. B. absent on Duty at Fort St. George.

§ ("* The Governor General delivers in the following Minute, and begs Leave to record his Correspondence with Major Popham on the Subject.

"23d May 1782.

The Governor General's Minute and Correspondence with Major Popham.

"Governor General.—I am much affected by the Letter which has been addressed by the Officers of Major Popham's late Detachment in reply to the Demand made on them by the Board in their General Orders of the 23d of February. They declare, that, upon a Reference

* Vide Note supra, Page 66.

" to my Letters, dated the 22d of October and 3d of November 1781, they cannot but be of Opinion, that they (*i. e.* those Letters) clearly and incontestibly invested Major Popham with full Power to order the Distribution of the Effects and Treasure found in the Fort of Bidjei Ghur to the Command of the Conduct of the Troops, of which I myself have been an Eye Witness, and to whom every Degree of Merit has been repeatedly allowed; adding, " how sensibly must the Honourable Governor General himself be affected, were he to see the Reward which he held out to those Troops taken from them by that very Power to whom they have looked up for Encouragement!" And they express their Hope, that " the Board will be induced to permit them peaceably to enjoy what it is apparent from the whole Tenor of my Conduct I wished them to possess."

" I yet acknowledge, with a Conviction of the Obligation unchanged by the Reproach of it, the spirited and effectual Services which were performed by the Officers of Major Popham's late Detachment, and the Zeal which excited them. I receive and confirm their Attestation of the Wishes which were uniformly manifested by me, to bestow on them a Reward adequate to their Merits; and even that, though with some Difference in the Mode, which they assumed for themselves. But I deny that I ever " invested Major Popham with a full Power," or with any Power to order a Distribution of the Effects and Treasure found in the Fort, or that I had any such Intention, or that the Words which have been quoted from my Letters to prove it, are or can be taken in that Sense by any Construction, however forced.

" When I left Benares, I had Hopes given me of a very different Termination of this Affair; I therefore suppressed the Letters which had passed between me and Major Popham respecting it. These are now become necessary for my Justification, and for that Purpose I do not, without much Reluctance, lay them in their connected Order before the Board, requesting that Copies of the other Papers which have been recorded on this Subject may be added to them by the Secretary, and that the Whole may be transmitted by the next Dispatches to the Court of Directors.

" Notwithstanding the Want of Respect which has been shewn to me by the Officers of Major Popham's Detachment, I yet feel so warm a Remembrance of their Services, that I am unwilling to trust to the Equality of my own Judgment, in proposing the Step which may be proper to be taken for asserting the Rights of the Company, the Authority of Government, or the relative Claims of the Officers to a Participation of the Treasure and other Plunder acquired by the Surrender of Bidjei Ghur.

" I will confess, that I am not solicitous to compel the Officers to refund all the Money which they have assumed; it would perhaps, with all the Aid of the Law, be impossible; nor am I now very anxious for the Use of it on Loan. We have it, though not immediately under its proper Term, nor tendered, as it ought to have been, by the Officers themselves.

" The Points which I am most anxious to obtain are, the Establishment of the Right in whatever Manner, and a fair Distribution. I can scarce suppress a Degree of Resentment, even at this Distance of Time, when I reflect that many Officers to whom the Service was most indebted for the Reduction of the Province of Benares, and even this Government perhaps to its Existence, have been shared out by others who had no Part in any of the essential Actions of the Campaign, but came in just at the Close of it, to make their Fortunes by Treasures, in the Seizure of which the successful Exertions of others had enabled them to participate.

" I must particularly refer to the Case of Major Crabb, whose Exclusion dishonours the Decision which passed it; I will not enumerate others.

" I entreat the Board, for the Reasons which I have already alleged, to spare me the painful Office of proposing what may be necessary for their Conduct in this Business, presuming that they are now in Possession of all the Materials required for proceeding upon it." §

Here the Managers for the Commons observed, That as the House were now in Possession of the Manner and Cause of the Letters they were about to read being introduced upon the Consultation, it would save Time to state the Use and Purpose they intended to make of them.

Then they stated, That there were Two Charges against Mr. Hastings, relative to the Prize Money: one, that he did illegally grant that Prize Money, and the Effect it produced; the other, that he afterwards faithlessly endeavoured to take it away: That having premised this now, they should probably not find it necessary to trouble the House with any further Observations upon that Head.

Then the Clerk proceeded to read as follows:

" To Major Popham, commanding before Bidjei Gur.

" Benares, the 22d October 1781, 10 o'Clock P. M.

☞ [" I am this Instant favoured with yours of Yesterday. Mine to you of the same Date has before this Time acquainted you with my Resolutions and Sentiments respecting the Rannee. I think every Demand she has made to you, except that of Safety and Respect for her Person, is unreasonable. If the Reports brought to me are true, your rejecting her Offers, or any Negotiation with her, would soon obtain you Possession of the Fort upon your own Terms. I apprehend that she will contrive

contrive to defraud the Captors of a considerable Part of the Booty, by being suffered to retire without Examination; but this is your Consideration, and not mine: I should be sorry that your Officers and Soldiers lost any Part of the Reward to which they are so well entitled, but I cannot make any Objection; as you must be the best Judge of the Expediency of the promised Indulgence to the Rannee. What you have engaged for I will certainly ratify; but in admitting the Rannee to hold the Pergunnah of Kurteek, or any other in the Zemindary, without being subject to the Authority of the Zemindar, or any Lands whatever, or indeed making any Conditions with her for a Provision, I will never consent to it.

I am, &c.

(Signed) Warren Hastings."

" N. B. The initial and concluding Addresses of this Letter are omitted in the only Copy of it preserved by the Governor, but he knows that the Letter was familiar and not official."

" Dear Major,

" Benares, the 3d November 1781.

" My Duan Contoo Bouboo has shewn me a Letter addressed to him from Panna, the Mother of Cheit Sing, intreating his Intercession that she may be relieved from the Hardships and Dangers of her present Situation, and offering to surrender the Fort of Bidjgur, and the Treasure and valuable Effects contained in it, provided she can be assured of Safety and Protection to her Person and Honour, and to that of her Family and Attendants; and that Contoo himself will undertake to conduct her out of the Fort to such Place of Security as she shall choose. As this Offer affords a Prospect of your obtaining Possession of the Fort, and the Wealth which it contains, without further Loss or Delay, I have judged it proper to accept it, and directed Contoo to repair to your Camp immediately with as many Doolies and Cauhrs as can be collected for the Conveyance of Panna, her Family, and such Necessaries as are indispensable to Women of their Condition.

" You will be pleased, when Contoo arrives with you, to send a Messenger of your own, accompanied with one from him, to acquaint Panna that I have sent him conformably to her Request, to receive and conduct her with Safety and Honour to whatever Place she may choose as her Residence, and that I am willing to grant her now the same Conditions to which I at first consented, provided that she delivers into your Possession, within Twenty-four Hours from the Time of receiving your Message, the Fort of Bidjgur, with the Treasure and Effects lodged therein by Cheyt Sing, or any of his Adherents, with the Reserve only as abovementioned of such Articles as you shall think necessary to her Sex and Condition, or as you shall be disposed of yourself to indulge her with. If she complies, as I expect she will, it will be your Part to secure the Fort and the Property it contains, for the Benefit of yourself and Detachment. I have only further to request, that you'll grant an Escort, if Panna should require it, to conduct her here, or wherever she may choose to retire to. But should she refuse to execute the Promise she has made, or delay it beyond the Term of Twenty-four Hours, it is my positive Injunction, that you immediately put a Stop to any further Intercourse or Negotiation with her, and on no Pretext to renew it. If she disappoints or trifles with me, after I have subjected my Duan to the Disgrace of returning ineffectually, and of course myself to Discredit, I shall consider it as a wanton Affront and Indignity which I can never forgive, nor will I grant her any Conditions whatever, but leave her exposed to those Dangers which she has chosen to risque, rather than trust to the Clemency and Generosity of our Government. I think she cannot be ignorant of these Consequences, and will not venture to incur them; and it is for this Reason I place a Dependence on her Offers, and have consented to send my Duan to her.

Yours, &c.

" (Signed) Warren Hastings."

" Dear Sir,

Camp, Bijee Ghur, 10th November 1781.

" I have the Honour to inform you, that last Night about Twelve o'Clock, the Grenadiers took Possession of the Western Gate of Bijee Ghur, after the Rannee had played with and deceived us from Ten o'Clock in the Morning, when she had agreed that it should have been given up to us.

" Permit me to request your Orders, Sir, with respect to the future Disposition of the Troops; and at the same Time, to beg Major Gardiner may have the carrying on what Works shall be judged necessary for the Repairs of the Fort of Bigee Ghur, as it is with the greatest Truth I assure you we are much indebted to his Labours and Services for the Fall of the Place.

" I have the Honour to be,

" with the greatest Respect, &c.

The Honourable
Warren Hastings Esq.

" (Signed) W^m Popham."

" Dear Sir,

Camp Bijee Ghur, 12th November 1781.

" I did myself the Honour, the Day before Yesterday, to inform you of the Surrender of this Place, and the Situation of Affairs at that Time.

" The Rhannee came out of the Fort with her Family and Dependants the 10th at Night, owing to which such Attention was not paid to her as I wished; and I am exceedingly sorry to inform you

you that the Licentiousness of our Followers was beyond the Bounds of Controul; for, notwithstanding all I could do, her People were plundered on the Road of most of the Things which they brought out of the Fort, by which Means one of the Articles of Surrender has been much infringed. The Difficulty felt upon this Occasion cannot be expressed, and can only be allayed by a firm Persuasion of the other Articles of the Treaty, which I shall make it my Business to enforce.

“ The Suspicions which the Officers had of Treachery, and the Delay made to our getting Possession, had enraged them as well as the Troops so much, that the Treaty was at first regarded as void; but this Determination was soon succeeded by Pity and Compassion for the unfortunate besieged.

“ The Women are now in Tents at a little Distance from the Camp, with a proper Safeguard; and I have sent into the Fort for those Conveniencies which are necessary to their Situation; and the Rhannee will have her Share of Fifteen per Cent. exactly paid her. She will remain here until such Time as Bearers and Carriages can be procured to convey her to Benares, where she wishes to reside, but she earnestly begs that she may not be dependant upon the old Rhannee, the new Rajah, or Oussaan Sing.—She tells me that she has a House at Benares (that I believe in which the Nabob Saadut Ally now lives), also another at Gungapore about four Cose from the City. Both these she hopes for from your Indulgence, and, for future Support, she most humbly submits to your Generosity. Cantoo Baboo is with the Rhannee; and as she has particularly requested that Captain Scott may pitch his Tent near hers, and accompany her on her Way to Benares, I have consented, and he will move accordingly.

“ I have to request that you will give Orders for such a Number of Bearers and Coolies as can be collected, to be sent here immediately to conduct the Rhannee and her Family, &c. who are in all about Three hundred Women, besides Children. Thirty or Forty Coupalas will also be necessary; and if some Bazaar is likewise sent, it will make the Journey perfectly convenient. I shall furnish a sufficient Escort. Every Means is taking to procure Bearers here, but I fear this Country will afford but very few, on which Account I hope many will come from Benares.

“ Dhouda Buggut may justly be said to have occasioned the Rhannee's Sufferings, as he caused the Delay in the Surrender of the Fort. Bogwisdial the Buxey, on the contrary, acted with the greatest Honour; and should he survive the Fever he is now ill of, I think he will merit the Attention of Government. Chumput Roy also demands Praise for the Sufferings which his Attachment to our Government has drawn on him. He is likewise with the Rhannee.

“ I have the Honour to be, with high Respect, &c.

(Signed)

W^m Popham.”

“ The Honourable Warren Hastings Esq.

“ To Major Popham.

Chunar, 14th November 1781.

“ Sir,

“ I have received your Letter of the 12th, and sincerely congratulate you on the easy Conquest which you have made of Bidjy Gur.

“ It gives me great Concern that the Licentiousness of any Persons under your Command should have given Cause to complain of the Infringement of the smallest Article of the Capitulation in favour of the Mother of Cheyt Sing and her Dependants. I hope you will discover the Offenders, and oblige them to make Restitution, and also punish them in the most exemplary Manner. I rely on your Humanity and Justice to make her all the Recompence in your Power, by a scrupulous Attention to enforce the Performance of the remaining Stipulations in her Favour.

“ Bearers, Coolies, and other Conveyances have been ordered for the Women and their Effects. The Mother of Cheit Sing, her Family and Attendants, may reside wherever she pleases; and she shall be put in Possession of such Houses as are her own immediate Property.

“ The Subject on which I am now to write is a very disagreeable and painful one to me, but indispensable. I have received Information which, though private, is certainly authentic, that you have already distributed One Dividend of the Treasure found in Bidjy Gur amongst the Officers and Troops on the Spot. If this be true, I am very sorry for it, as, on many Considerations, it appears to me that such Distribution is premature. I apprehend that it is a Proposition not to be disputed, that every Thing acquired by the Arms of a State belongs to the State which employed those Arms. By Charters and Acts of Parliament, the sole Right to all Conquests or Captures made by the Company's Arms were vested in the Company. It was however my Intention to have used my utmost Authority and Influence to have obtained for the Troops engaged in the Service against Cheyt Sing the whole Booty which might be found in Bidjy Gur or other Places. I regarded it as the due Reward of their Services, and Recompence of their Sufferings, but I never meant that they should seize it and scramble for it. Besides, if the actual Right was in the Army, at a Time like this, when the Exigencies of the Company are so great, surely they might have expected to have benefited by the immediate Use of it as a Loan. I had, I must own, such Confidence in your Discretion, that I did expect, if the Treasure found in the Fort should prove very considerable, you would not have proceeded to any Distribution of it until you had reported the Amount to the Board, and obtained their Sanction for appropriating it to the Troops, or at least that you would have represented it to me, as I am so near you.

“ It

" It gives me still greater Concern to learn that you have excluded from any Benefit in this valuable Capture all the Troops not immediately acting in the Siege of Bidjygar. I have received a strong Representation from the Officers of Major Whit's Regiment of their Claim to an equal Share with the Troops composing your Detachment; and when I consider the Services and Sufferings of that Regiment, I cannot help being of Opinion that their Title is good. You will recollect that it was the first employed, and was exposed in Two Actions, where Danger and Honour were to be expected; that it marched to our Relief at Benares, and has since been furnishing Detachments and Escorts to facilitate the Success of your Operations. Surely neither Justice nor Generosity will admit that a partial Distribution of Benefits should take place amongst Corps engaged in the same Service, and co-operating to the same Effect, because a Part of them happen to be employed at a Distance from the Place where such Benefits are immediately obtained. It will hardly be supposed by those Claimants that you could have overlooked their Pretensions, or not have expected that they would have urged them; and they will interpret so precipitate a Division of the Booty into a Design of precluding them from any Share in it. Whatever may be the Decision of the Board respecting the Treasure in Question, the Claim of the 6th Regiment is unquestionably as just as that of the actual Captors. I must therefore require of you to suspend any further Dividend or Distribution until the Orders of the Board respecting it are received, and I desire you will order and require the Officers, who have already shared, to refund the Sums which they have respectively received, and acquaint them if they do not they will be responsible to Government, and that such Sums, as well as what shall remain, are and must be subject to the final Decision of the Board.

" Let me add, as a Suggestion worth your Attention, that if you do persist to decide by your own Authority on the Claims of the Captors, you may, and I foretell that this will assuredly prove so, withdraw the Question from our immediate Government to make it a National Concern. You might have expected every partial Regard from the Board, from myself especially, who have been a personal Object of your Operations, which we could legally bestow; and whatever we had decreed on so meritorious an Occasion would have received the undoubted Approval of the Company, with whom it would have finally rested; or have fallen, with their Displeasure, if they had not approved it, on us alone.

" I am, &c.

(Signed)

Warren Hastings."

" To the Honourable Warren Hastings Esquire, Governor General, &c.

" Sir,

" Yesterday Evening I was honoured by your Letter, without Date, too late to reply to it by the Return of the Dawk.

" My most earnest Endeavours have been used in performing every Article of the Treaty of Capitulation in Favour of the Mother of Cheit Sing; and she will have the Whole of, if not more than, those Effects, &c. which were agreed to be given up. I have provided as many Bearers, Doolies, and other Conveyance, as will suffice for her Journey to Benares, which she began this Day, accompanied, at her own particular Request, by Captain Scott and Cantoo Baboo. I could have wished her to remain a Day or two longer, till more Conveniencies could have been provided; but as she was exceedingly anxious to move, I did not think it advisable to prevent her.

" It gives me the most sincere Concern to find, that a Conduct, which I flattered myself would have met with your Approbation, has unfortunately incurred your Displeasure; but I am the more sensibly hurt, as the Letters I had the Honour to receive from you, before this, gave me every Reason to suppose that you were of Opinion the Effects and Money in Bijee Ghur should immediately become the Property of the Captors, which Idea, so correspondent to my own and all the Officers Wishes, occasioned the Conduct I pursued.

" Alluding to the then proposed Capitulation, in your Letter of the 22d October, you are pleased to say, " I apprehend, that she will contrive to defraud the Captors of a considerable Part of the Booty, by being suffered to retire without Examination; but this is your Consideration, and not mine. I should be sorry that your Officers and Soldiers lost any Part of the Reward to which they are so well entitled."

" In the Letter which I was honoured with on the 3d instant, you are pleased to give me the following Order, on the Supposition that the Rhannee would surrender the Fort:—" It will be your Part to secure the Fort, and the Property it contains, for the Benefit of yourself and Detachment; and I have only further to request, that you will grant an Escort to Panna, should she require it, to conduct her here, or wherever she may chuse to retire to."

" Convinced before of the Justness of the Detachment's Claims to the Property in the Fort, your so chearful and positive Acquiescence in the Opinion made me doubly happy to share amongst the Officers and Troops the Reward of their Services; and the Order conveyed to me in the last Extract from your Letter made me do it immediately, before a Separation of the Troops should take Place, which I regarded as the best Security against Jealousies and Suspicions that might naturally arise, in case of Delay.

" Before the Fall of the Fort it was determined, agreeable to the general Sense of the Officers, that the Seniors should form a Committee for the Distribution of the Shares. Major Moses Crawford,

furd, the First of the Number, accordingly was appointed to command the Party to take Possession of the Fort. The other Members of the Committee went in with him, and have held the whole Power in their Hands ever since, without my having the smallest Interference, except to demand the stipulated Rights and Share of every Thing for the Rhannee.

" It would be as well as unnecessary, for me to enter into Arguments with you, Sir, concerning the Rights of the Company, from Charters and Acts of Parliament in their Favour; but even allowing, for the present, that the Right of Plunder was vested in the Company, I apprehend that your Order to secure the Fort, and the Property in it, for the Use of myself and Detachment, was a sufficient Authority for my sharing the Capture among the Officers and Troops under my Command; but more especially as the Minutes of Council, issued in General Orders, vested you with the full Powers of the Board; and, of course, any Decision you made was regarded as a final one of the Supreme Council.

" The Officers of the Detachment regarded also your generous and impartial Determination in their Favour with Veneration and Gratitude, as it saved them the Anxiety of Suspence, and was a Mark of your Approbation of their Services; yet, at the same Time, they did not admit a Doubt of the Contents of the Fort of Bidjee Ghur being their Prize.

" With respect to the Exigencies of the Company, every Officer of the Detachment would, I dare say, be ready to administer singly to their Convenience, as their Circumstances would allow; but to give in One Sum the Whole of their Property, without its being properly divided, they did not think would be expected, as a general Bond surely cannot be esteemed sufficient Security for every Individual.

" Regarding the Exclusion of Major White's Regiment, the Committee of Distribution will undoubtedly give Reasons for their Conduct, and the Officers of that Regiment will then be able to judge how far the Exclusion has been just, which, I believe, has been regulated by Custom.

" The Plunder being shared, and become the present Property of the different Sharers, I do not think myself competent to give an Order for a Refund. The Officers and Troops will judge how far they are liable to answer to Government for having received it. The Decision of the Board will, I am certain, be received with that respectful Attention it is their Duty to pay; and I beg Leave, Sir, to offer you my sincere Thanks for your promised Influence to make it favourable.

" From the Usages of all Services I have ever heard of, and had the Honour of being employed in, I was firmly of Opinion that the Right of Plunder was vested in the Captors. The Instances of Plunder being shared in this and other Countries, without any prior Application to the Members of Government, have been many; and it would be only, Sir, intruding on your Patience to enumerate them. I will therefore only add, ever happy in the Assurance of your Esteem and Friendship, that I hope, from your Indulgence, the Claims on the Part of the Company to be withdrawn; and that from your Acquiescence and Favour we may obtain the quiet Enjoyment of what, I have every Reason to believe, you will not think unworthy the Services of myself and the Troops under my Command.

" I have the Honour to be, with every Sense of Respect,

" Sir, &c.

" Camp near Bijee Ghur, 16th Nov. 1781.

(Signed) William Popham."

" To Major Popham.

" Sir,

Chunargur, Nov. 18th, 1781.

" I have this Day received your Letter of the 16th instant. Since my private Letters have been received and quoted as Authority, I regret that they were not more guardedly written, and yet more that they were written at all. Their obvious Construction is, that I myself considered the Plunder of Bidjygar as so much the due Reward of the Officers and Soldiers whose Services had earned it, that I expressed it as decidedly theirs. Had my Letters been official, or intended for the strict Interpretation which you have given to them, I should have declared the same Sentiments in Substance, but in more warrantable Language. It is most probable that I should have signified my Opinion that the Officers and Soldiers were entitled to share between them the Whole of the Treasure and valuable Effects taken in Bidjygar; not as theirs by any positive or declared Law, or by the Right of Custom, but as the Effect of that Claim which Merit has to optional Bounty; that if the Amount had been even considerable, but not enormously great, I might have exercised the Authority with which I have been invested, to allow the immediate Distribution of it, that no Part of its Effect might be lost by Delay; but that if the Sum was so great as to become a public Object, I should certainly have hoped, that to remove the popular Envy which might attend its Appropriation to the Benefit of Individuals, it might have been tendered by the Officers themselves for the immediate Relief of the Company in the present Distresses, on Loan, for Bonds severally granted to each Sharer, not, as you supposed would be necessary, to the Whole collectively; which, as the Company's Bonds are negotiable, would have as effectually secured their Property in them, as if the Sums charged to each Bond had been actually lent in the common Mode; but, at all Events, if I had thought it proper to refer the final Decision to the Board, I should have taken upon myself the first Responsibility of the Gift, by advising it, and by becoming the Advocate of the

the Army for obtaining an Act of the Board for that Purpose. I am myself, knowing the Characters of the Gentlemen actually composing that Body, perfectly assured that they would have as heartily joined with me in such a Resolution, as I was disposed to propose it.

" If you thought my Letters conveyed the Sanction which you seem to attribute to them, I am sorry that you did not avail yourself of your intimate Knowledge of my private Sentiments, however conveyed to you upon the same Subject; and I must now request that you will endeavour to make them known to those, who, from this partial Selection of them, may have acquired a Right to be possessed of the Whole, by furnishing me with Copies of the Letters which have been written by my Secretary Major Palmer, as declaratory of them; particularly One dated the 10th November, which, I believe, comprises my Opinion and Wishes in the fullest and most positive Terms.

" It has been intimated to me, that a Suspicion, that the Treasure found in Bidjgur might, if reported before its Distribution, have been wholly taken by Government for the Benefit of the Company, was the Cause and Motive for the precipitate Division of it. I own it has that Appearance; and I am sufficiently mortified by the Idea which this Construction suggests of the Opinion which you must have entertained of my Sincerity, if you countenanced such a Precaution, since the Passages in my Letters, which you have quoted as ascertaining the Right of the Army, were, under a more favourable Supposition, more likely to have operated as Encouragements to apply for a Sanction to receive it with the Assurance of Success, than to seize it before it could be disputed.

" I am sorry that I am constrained to appear in a Character so different from that in which I hoped to have shewn myself, in Opposition to an Act done for the Benefit of the Army, instead of being the Instrument of promoting their Interest; I must bear, as I can, the Mortification of my present Disappointment, and satisfy myself with the Consciousness that I have been, and the Assurance that they will find it, by the Event, their best Friend and Adviser.

" In the mean Time you have declared, that the " Plunder being shared, and become the present Property of the different Sharers, you do not think yourself competent to give an Order for " a Refund." I am compelled by the Sense of my public Duty to protest, and I hereby protest against the Distribution, not as the Act of the Officers whom you have constituted a Committee for that Purpose, but as yours, the sole and whole Authority being yours, and Responsibility unalienably vested in you. I protest against the Exclusion of the others in Benefit of their own Pretensions, and against the Power granted them for that Purpose, as repugnant to the Principles of Natural Justice, which forbid that Men shall be Judges in their own Causes, when a superior Judgment can be obtained.

" I shall prepare the Materials of this Transaction for the Information of the Board, but shall wait for your Answer, before I finally dispatch them.

" Sir,

" With the greatest Respect, &c.

" (Signed)

Warren Hastings."

" N. B. To this Letter I never received any Answer."

" To the Honourable Warren Hastings Esquire, Governor General.

" Honourable Sir,

" It is with the sincerest Regret we are informed by Major Popham, that the Distribution of the Prize Money taken at Bidjee Ghur is repugnant to your Ideas of Propriety and Justice.

" We did conceive that any Money and Effects (Warlike Stores excepted) taken consequent to a Capitulation, was the undoubted Property of those whose Lives were risked in the Acquisition.

" Consequent to your Order, any farther Participation is suspended, but we trust, from your Candour and Generosity, you will permit us to retain the Residue of what we had always understood you had regarded as our Property, and which now would have been untouched, had not your (supposed) Approval seemingly established the Rectitude of our Claim as incontestible. But, abstracted from this imaginary Admission of our Right, we were influenced to believe that no Doubt existed as to the Validity of our Pretensions, from many reiterated Precedents in Point occurring to our Reflection to confirm them.

" It is not to be imagined that Military Men are acquainted with the Niceties of Legal Distinction, the Usage of the Service can be their only Guide; and if they adhere strictly to that, and yet err, we do not apprehend that any just Imputation of Guilt can result from their Ignorance.

" Respecting a Resumption of the Sum already received, we fear it is impossible, the greatest Portion being already alienated; but we are very ready to submit what remains to your entire Disposal.

" As to the Claim of the First Battalion of Major White's Regiment (Captain Blair's) it was admitted the Moment the Case was clearly understood; but in respect to the other Battalion of that Regiment, we beg Leave to suggest the following Reasons for its Exclusion.

" In the First Place, a Return of that Corps, since the Commencement of the present Service, has never been transmitted to Major Popham; neither has Captain M'Dougall ever received any

official

official Instructions from him whatever: Secondly, a Return of that Battalion has never been included in the General Returns transmitted to you, the Commander in Chief, or Military Secretary, as any Piece composing this Detachment: And, thirdly, we believe it to be strictly conformant to Military Regulations, that Officers commanding Corps do return monthly to their immediate Commanding Officers, as well as to the Commandant of the Regiment or Brigade to which such Corps are attached.

" That Captain McDougal has made a Return to Major White (as is customary) we do not pretend to dispute; and does it not then inevitably follow that the same Rule should have been observed in respect to Major Popham, had Captain McDougal ever entertained an Idea of acting under his Command?

" We write this, Sir, under the clearest Conviction of your Regard, Candour, and Impartiality, and beg you will do us the Justice to believe that

We are, with the greatest Esteem and Respect, &c.

C. Crawford, Lieutenant,
R. Maxwell, Captain,
Ed. Humphries, Major,
Thos. Townshend, Lieutenant,
J. Campbell, Lieutenant,
C. Vernon, Lieutenant,
Rt. Sands, Lieutenant, Fireworker,
Rt. Morris, Lieutenant,
J. Noke, Captain,
Oliv' Cacy, Lieutenant,
Ludovick Grant, Captain,
James Harwood Lieutenant,
Alexr Macleod, Lieutenant,
J. H. Hutchinson, Lieutenant,
John Garstin,
E. O. Donnell, Lieutenant,
R. S. Perreau,
J. Fox Calcraft, Lieutenant,
J. P. Pigott,
G. Ball, Lieutenant,
P. Fallon,
John Gordon, Lieutenant,
B. Nofs, Lieutenant,
D. Reed, Lieutenant.

Wm Popham, Major,
Justly Hill, Captain, Artillery,
M. Crawford, Major,
A. Balfour,
James Denty, Captain,
Geo. Birrell, Lieutenant,
Alexr Knox, Lieutenant,
R. Dumes, Captain,
J. J. Windood, Lieutenant,
Thomas Brown, Lieutenant,
W. Lane, Major,
J. Hamilton, Lieutenant,
Ja' Gellespie, Lieutenant, Artillery,
J. Underwood, Lieutenant,
Wm Crawford, Lieutenant,
P. Stewart,
Wm Pickett, Lieutenant,
John Morrison, Lieutenant,
Robert Bell, Lieutenant,
Wm Shipton, Lieutenant, Fireworker,
J. Bellaffis, Lieutenant,
B. Bruce,
David Birrell,
James Lewis Lucadon,
Wm Comyn, Lieutenant,

" Chunargur, November 30, 1781.

" To Major Popham.

" Sir,

" Expecting your Arrival at this Place some Days earlier than it happened, I have delayed my Answer to the Letter which you, and the Officers of your Detachment, did me the Honour to Address to me on the 19th Instant, on the Subject of the Claims preferred to me for a Participation in the Plunder of Bidjygar, by the Officers and Troops engaged in the Service against Rajah Cheit Sing, but not present at the Siege of that Fortress.

" In the present State of the Question, I do not think my sole Authority competent to the Acceptance of the Proposition made in the Letter. My Disposition is still more averse than my Authority is ineffectual to appear in the Character of an Arbitrator, and eventually subject to that of an Opposer of the Interest of Gentlemen, whose public Services, and personal Attachment, have given them the strongest Claims to my Esteem and Support.

" It is my ardent Wish that no Altercation, or Disagreement, may ever subsist between us, and that our only Intercourse may be Justice in public, and Kindness and Cordiality in our private Relations. For these Reasons, I must decline answering the Arguments upon which the Officers have supported the Justice and Propriety of the Disposition which has been made of the Treasure and Effects. But as the Result of the Conversation which I have had with you on this Subject, promises an equitable and impartial Mode of Decision, I shall transmit the Letter to the Board, with such Observations as the Sentiments of Candour and Confidence which it contains, as well as the great Merits and Services of the Detachment, intitle the Gentlemen to expect from me.

" I am, Sir, &c.

" (Signed) Warren Hastings."

" Chunargur, 30th November 1781.

" To Major Popham

" Sir,

" I request that you will be pleased to represent to the Officers of your Regiment, with what Reluctance I return the Presents with which they have honoured me, and which are valued not by their intrinsic Value, considerable as they are, but as Testimonies of the Affection of a Body of Gentlemen for whom I entertain the highest and best founded Esteem and Respect.

" Nothing less than the apparent Inconsistency which my Conduct would wear in retaining Presents of such Value, after the Opinion I have delivered concerning the Property of which they compose a Part, could prevail upon me to part with the Pledges of an Attachment for which I am so solicitous. But I shall ever preserve the most grateful Remembrance of the Sentiments which those Pledges are intended to convey.

" Although I cannot accept of Presents which I consider to be a Part of Property yet undecided, I am desirous of giving the Gentlemen of the Detachment a Proof that I do not mean to decline receiving any Marks of their Regard, which I think they can with Propriety bestow, or I accept; and this Proof is afforded me, by requesting they will indulge me with the Shamsereh Manuscripts which may be found in Bidjygar, where, I am informed, Rajah Cheyt Sing had made a curious and valuable Collection.

I am, Sir, &c.

(Signed) Warren Hastings."

" Read the following Letters from Captain John Hamilton,
Lieutenant P. Fallon,
J. Campbell,
Lt. O' Carry,
C. Evelyn."

" To J. P. Auriol Esquire, Secretary to the Honourable the Governor General and Supreme Council.

" Sir,

" In Compliance to the Orders of the Honourable Board of the 18th of February last, respecting the Plunder taken in the Forts of Bejyghur, I have the Honour to acquaint, for the Board's Information, that I am, at all Times, willing to abide by their Decision; but having incurred Debts to a considerable Amount from the Service of Eleven Years in a Subaltern Line, I, on receiving my Quota of the Prize Money, remitted it to the Liquidation of those Debts, as being present at the Capture of several more important Fortresses, the Prize Money was, without Hesitation, immediately divided among the Captors.

" 15th May 1782.

I have the Honour to subscribe myself, &c.

(Signed) John Hamilton."

" To J. P. Auriol Esquire, Secretary to the Honourable the Governor General and Council.

" Sir,

" I should no Doubt have done myself the Honour of addressing you respecting the Orders of the Honourable Board, under Date the 18th February, regarding the Prize Money divided amongst the Troops employed at the Siege of Bidjeeghur, had I not been upon Leave of Absence these last Two Months, during which Time I received no official Account of these Orders. This, Sir, I hope will sufficiently justify my Conduct in not earlier writing to you on the Subject. I have to request, you will be pleased to inform the Honourable Board, so far as my Abilities will admit, it shall be my constant Duty to shew them how ready I shall be to act with Zeal and Attention to their Commands. Long before any Idea was entertained that the Division of the Prize Money would not meet with the Approbation of the Honourable the Governor General and Council, I had appropriated a considerable Share of it to the Payment of my Debts which I had long owed. The Remainder has been reduced to a very small Sum by the unavoidable Accession of Expence which I have incurred in replacing the most necessary Articles thereby, to the whole Amount of my Property which I had lost in the Retreat from Mammagur. These Circumstances, I doubt not, will convince the Honourable the Governor General and Council of my Inability to repay the whole Sum; however, what little remains, I shall with Pleasure submit to their Disposal.

" I have the Honour to be, &c.

" Chunar, 26th April 1782.

(Signed) Pat. Fallon, Lt."

" To J. P. Auriol Esq.

" Sir,

" I have received your Letter of the 2d instant, desiring to know if I am willing to submit my Right in the Share of the Booty found in Bijygar, which I have received, to the Determination of the Honourable Governor General and Council; to which I answer, that I am, and ever shall be, willing

willing to abide by their Determination as far as lies in my Power ; but that prior Misfortunes, aggravated by a severe Fit of Illness, which I got at the Siege of that Fort, involved me so much in Debt that a Second Bidjyghur Prize would scarcely extricate me. You know, Sir, that in the Loss of the Staff, and all the Property that every Individual had on Board was involved. It is plain, that I was a Passenger, and going to Madras to join my Corps, did not leave much behind me, and that Course I must have been one of those that suffered the most. I lost all I had in the World, and tho' this was not much, yet the richest of my fellow Sufferers, in a comparative Sense, could have lost no more. Prior to this Event, I was out of Debt, and easy in my Circumstances, but as a Change of Causes necessarily occasions a Change of Events, the Catastrophe of the Staff reduced me to the Necessity of having Recourse to Friends, and borrowing Money ; the Willingness with which they served me, heightened the Obligations on my Part, and I sighed after the happy Moment when I could pay them with Gratitude ; this happy Moment, I thought, came at last ; but after summing up all my Debts, I found my Prize Money insufficient to the Task ; however, I made a proportionable Dividend of my Cash to all my Benefactors ; and the Goodness of my Intentions supplied my want of Abilities for the Balance.

“ Chandernagore, 12 May 1782.

I am, Sir, &c.
(Signed) M. Falvey.”

“ On the Service.

“ To J. P. Auriol Esquire, Secretary to the Honourable the Governor General and Supreme Council.

“ Sir,

“ My having left Burrampore to join my Corps at this Station, has been the Cause of my not former answering your Letter of the 2d instant, which I have just received.

“ With respect to my not having delivered in my Sentiments upon the Requisition of the Honourable the Governor General and Supreme Council, regarding the Booty found in Bidjyghur, I request Permission to inform the Honourable Board through you, that, with a Confidence of the Propriety of obeying their Orders, and a thorough Reliance upon the Equity and Generosity with which the Honourable Board would determine ; nevertheless, being a very young Officer, my Anxiety to affect the Character of a Soldier, not only by a strict Obedience to the Orders of my Superiors, but by an Adherence to my Duty, in supporting whatever Claims I may be justly entitled to, urged me to look to the Conduct of my senior Officers, by whose Experience I wished to be guided. Being now called upon to answer as an Individual, I candidly confess my Opinion, that no Man of Honour can feel the least Compunction in submitting his Right to the Determination of that Honourable Board, whose Justice and Equity forms the Basis of our Government.

* Sic in Orig.

“ A Detail of private Concerns may be looked upon as Intrusion ; yet give me Leave to represent to my Honourable Masters, that being on my Way to join the Corps I was then attached to, I arrived at Banaris just at the Commencement of the Disturbances, and was immediately desired to join the Troops then with the Honourable the Governor General : That having no Land Carriage for my Effects upon the March to Chunargur, I was forced to leave all that I was possessed of in my Boat, which I * every Thing in it destroyed. I was then of Necessity obliged to run greatly in Debt, to equip myself for the Campaign. This Loss, together with paying my former Debts, and being rather extravagant, when I found it for the First Time in my Power, leaves so small a Part of the Money I received, as my Share of the Booty, in my Possession, that it could not afford the smallest Assistance to the Honourable Company in their present Situation.

“ These Circumstances, the Generosity of the Honourable Board, and their Promise of liberally considering the Honourable Governor General's Letters to Major Popham, induces me to hope that the Decision of the Honourable Board will be in my Favour, as it is evident, from the above State of my Affairs, that the contrary must prove fatal to me.

“ Midnapore, 14th May 1782.

“ I have the Honour to be, &c.

(Signed) John Campbell, Lieutenant,
2d Battalion 17th Regiment.”

“ Peter Auriol Esquire, Secretary to the Honourable the Supreme Council.

“ Sir,

“ I take the earliest Opportunity to acknowledge the Receipt of your Letter, wherein you complain of my not having given an Answer yet to the Requisition of the Honourable the Governor General and Council, in their Minute of the 18th February last, respecting the Booty found in Bidjyghur, also of your being directed to call upon me, to know if I am willing to submit my Right in the Share I have received to their Determination.

“ I now acquaint you, for the Information of the Honourable the Supreme Council, that I have, in Obedience to their Requisition of the 18th February last, given my Answer in Writing, dated 26th last Month. Whether it hath miscarried in the Dawk, or had met with an Accident through my Servant, after I had sent it there, I know not.

“ The

" The Purport of my Answer, both there and now is, that the Share of Prize I got at Bidjy-gur was given to me as my legal Right, and that by the express Authority of Major Popham; therefore I do not mean to relinquish any Part of it, nor is it in all my * Power, though I should even be inclined at this late Time; my having but a scanty Mite remaining, after discharging all the occasional Debts which I incurred previous to my receiving it; and the hasty Extravagance that such a Thing generally leads to † Officer of my volatile Reason upon his coming to it in that Chance Way. * Sic in Orig.

" Please, Sir, to assure the Honourable the Governor General and Council, that I retain the highest Sense of Respect and Esteem for them; and I hope to be henceforth able, through a proper Attention, to shew the great Duty and Obedience I, as an Officer in the Honourable Company's Service, owe to their certain Wills and Pleasure. † Sic in Orig.

" I have the Honour to be, &c.

" Borhampore, May the 15th, 1782.

(Signed) Olie' Cary, Lieutenant,
36th Regiment Sepoys."

" To J. P. Auriol Esquire, Secretary to the Honourable the Governor General and Council.

" Sir,

" I have received your Letter in the Name of the Honourable Board, and in Answer I must beg Leave to inform you, that it is out of my Power to lay the Dividend of the Prize Money I received at Bidjygur to ‡ the Determination of the Honourable Board; the greatest Part of it was required to discharge the Debts I had unavoidably contracted. Had I been acquainted before the 31st of March, that the Committee had no Intentions of sending an Answer in the Name of the Whole of Major Popham's Detachment, I would have sent in a separate one before. ‡ Sic in Orig.

" I have the Honour to be, &c.

" Berhampore, May 13th, 1782.

(Signed) C. Evelyn, Lieutenant,
28th Regiment Sepoys."

" Agreed that a Committee, consisting of all the Field Officers at the Presidency, whether on Duty or otherwise, who have no Interest in the Booty taken at Beejygur, nor Pretensions thereto, be appointed to consider the Claims of those Officers to share in the said Booty, who, in consequence of their Exclusion by the Committee of Officers in the Division made by them on the Spot, have applied to the Board to be admitted;—that all the Papers concerning this Business in the Possession of the Board be laid before the Committee now appointed, in order to guide their Consideration; and that they be desired to report their Opinion, either establishing or rejecting the Pretensions of such Officers whose Cases may be submitted to them by the Board.

" And in order to establish the Right of the Company to the Property found in Beejygur upon the Surrender of that Place:

" It is resolved, that a Suit be commenced against Major Arthur Balfour, whose Name is first signed to the joint Letter, recorded in Consultation 25th April, from several of the Officers concerned in the Receipt of the said Booty, refusing to submit their Rights to the Determination of the Board."

Then the Managers for the Commons acquainted the House they would next proceed to lay before them Extracts of Two separate Letters, from Mr. Hastings, and from the Board in general, to Colonel Champion in 1774, to prove that Part of the Article which charges Mr. Hastings with having made a Demand of the Prize Money contrary to his Knowledge of what was right, and contrary to his own former Declaration *.

The Witnesses produced Book 18, intituled, " Bengal Secret Consultations from the 3d January to the 19th September 1774."

Read, the following Extracts of a Consultation on the 3d June 1774, beginning at Page 276.

" Fort William, 3d June 1774.

Secret Dep.
Friday.

" At a Consultation; Present,

" The Honourable Warren Hastings Esquire, President.

Philip M. Dacres,
James Lawrell,
John Graham,
Nichl. Grueber, } Esquires.



[" Extract of a Letter from the Honourable the Governor to Colonel Champion,
dated May 21, 1774.

" Hitherto every Part of your Conduct has met with my most entire Approbation; but there is
" One Subject which in some Measure alarms me; the very Idea of Prize Money suggests to my
" Remembrance

* Vide printed
Articles, Page
7, Par. 2.

" Remembrance the former Disorders which arose in our Army from this Source, and had almost proved fatal to . . . Of this Circumstance you must be sufficiently apprised, and of the Necessity of discouraging every Expectation of this Kind among the Troops. It is to be avoided like Poison. How . . . in case of any considerable Capture should attend your future Operations, I think you can make a better Conduct than that which you intended; to determine nothing yourself. We acquaint the Board with the Circumstances, and wait for their Decision."

" (A true Extract.)

" (Signed) James Browne,
" Aid-de-Camp."]

" Extract of a Letter from the Honourable the Governor to Colonel Champion, dated May 28th 1774.

" I have received a Letter from the Vizier, complaining of the Claim you made to search for Treasure in Pelibeet.

" I have already expressed my Sentiments upon the Subject of Prize Money to the Army; the only Instance wherein our Troops, in the present Service, could have any Pretensions to it by the Customs of War, would be in the actual Assault of a Place by Storm; in every other Case it is clear, that the Capture becomes the sole Property of the Power carrying on the War. In the Instance of Pelibeet, which made no sort of Defence whatever, but fell with the whole Rohillah Country into the Hands of the Nabob, in Consequence of the Victory, we had no more Right to search or interfere at all in the Riches it contained, than we had to ransack every defenceless Village or House in the open Country for Plunder.

" It is true, that our General obtained that Victory, and our Troops bore the Brunt of the Action; but such was the Tenure of our Engagement with the Vizier, in Consideration of which he stipulated to pay a certain Sum to the Company, and to bear the whole Expence of the Service. His own Argument is unanswerable on this Subject; if we deprive him of the Fruits of his Conquest, we infringe the Agreement upon which the Expedition was set on foot; and he has a Right on his Side, to refuse the Payment stipulated to us, because he depended on the Fruits of his Conquest to enable him to make that Payment. I must here remark, that the Particulars of this Transaction, as mentioned by the Vizier, bear a very different Appearance from your Account of it; and that when I approved of the Conduct you intended to have pursued, it respected only your Intention of delivering up whatever might be taken to the Vizier, and waiting for the Board's Determination.

" With Respect to Pelibeet, however, and to every Capture in the present Service, except perhaps, in the Case of Plunder taken in an actual Assault, the Right is clearly the Nabob's, and will admit of no Disputation. This is my positive Decision on the Subject, which must be regarded by you as an Instruction for your Conduct, until you receive the Sentiments of the Select Committee, in case you should judge it necessary to apply to them on this Subject.

" (A true Extract)

" (Signed) James Browne,
" Aid-de-Camp."

Country Correspondence.

" The President also submits to the Board, the Translation of a Letter from the Vizier to him, giving an Account of the Claim of the Army to the Treasure supposed to have been in Pellybeet; which is read for the Information of the Board, and returned to the President.

" Read the 9th Paragraph of the Company's Orders in their general Letter of the 24th of December 1765, which are as follows:

" Extract of a General Letter from the Court of Directors, dated 24th December 1765.

Company's Orders.

" Par. 9th. To prevent this dishonourable Practice of stipulating for Services that are but the Duty of a Soldier's Profession, we positively forbid all future Stipulations by Treaty or otherwise, with any of the Country Powers, for any Donation or Gratification for Services to be performed.

Reply to Colonel Champion.

" Agreed that a Copy of these Orders be transmitted with the following Letter to Colonel Champion.

" To Colonel Alexander Champion, Commander in Chief of the Forces under the Presidency.

" Sir,

" The Letter which you addressed us from Biffonly, of the 16th Ult^o, was duly received.

" It gives us great Concern to find a Claim urged by the Army and supported by you with no inconsiderable Degree of Warmth, which we deem equally improper, and at this Time ill founded. We cannot admit of any Right in the Troops to a Share of the Treasures which the Vizier may acquire in the Rohilla Country. He is the Principal in the War, and to him every Acquisition of Right belongs, Treasure and Effects as well as Territory. We know that by the Usage of War, the Plunder that falls immediately under the Soldiers Hand, in the Storming of any City or Camp, is left with them, but we believe that in no Country or State there is a Right acknowledged in the Army to any further Share of the Fruits of Conquest. There are indeed Instances where the

Sovereign

Sovereign, in particular Services, grants a Share of the general Plunder to the Troops, and previously settles the Mode of dividing it; but in this Case the Vizir made no such Grant, nor did we stipulate for any such from him.

"We observe, Sir, that after enumerating the immense Spoils which the Vizir is said to have gathered, you testify your Belief that we did not foresee those Circumstances; and if, you are persuaded, we should have made further Conditions for the Company and the Army, our Treaty with him. To this we reply, that we certainly did not foresee what we cannot yet even give Credit to upon the Strength of Reports, although we find they have been sufficient for procuring the implicit Belief of the Army. An Instance which we think almost demonstrative of the Exaggeration of these Reports, is that respecting Fiezulla Khan. We cannot conceive that this Nabob, from a Country yielding only a yearly Revenue from 6 to 8 Lacks, which has besides been the Seat of War, or in the close Neighbourhood of it, for two Years past, should be able to amass a Treasure of 75 Lacks in ready Money.

"But still were these Acquisitions to prove real, and were we to have foreseen them, we do not know that we could have exacted better Terms for the Company. At any Rate, Reflections of this Kind are of no Use. Arguments introduced in Opposition to Measures already decided, can only be considered as Accusations, and we doubt not in this Instance to justify ourselves fully to our Employers.

☞ ["It is however certain, that in no Event either would we, or could we, have made any Stipulation for the Army. The bad Effects of a similar Measure were but too plainly felt in a former Period; and our Honourable Masters did not fail, on that Occasion, to reprobate with their Censure, in the most severe Terms, a Practice which they regarded as the Source of infinite Evils, and which, if established, would in their Judgment necessarily bring Corruption and Ruin on their Army.

"This being their Opinion on the general Practice, they doubtless must have stronger Objections to a partial Distribution among the Troops immediately employed, which could not fail of exciting Jealousy in the others, and carry the Appearance of Injustice to them.

"Further, Sir, for your more particular Information on a Subject, concerning which it appears you have so widely misunderstood both our Motives and Sentiments, we think proper to communicate to you, as a Member of the Administration, an Extract of the Paragraph of the General Letter of 24th December 1765, in which you will find (what it would seem you did not suspect) a positive Prohibition from the Court of Directors against all such Stipulations for the future.

"This Plan, independent of Argument, must appear conclusive on the Point. You will therefore take the proper Method to convey a positive and firm Declaration to the Troops, that they are not to expect any Share of the Riches acquired by the Vizir in this Conquest. Indeed, the Consequences which you signify to us are to be apprehended from our refusing this Gratification are sufficiently alarming; but, at the same Time, were there no other Reason, the very Appearance of so dangerous a Spirit in the Troops would determine us to oppose it in the Beginning; and we rely on your Conduct and Firmness, and that Subordination and strict Discipline, which Experience has taught us it has been always your Pride to maintain, for enforcing, with the Support of your Second in Command and the other Field Officers, these Orders, and procuring a complete Acquiescence in them from all the Officers and Soldiers of the Army. Indeed, we are persuaded that the general Disposition is to Obedience, however a few unruly Spirits or unthinking Men may have expressed different Sentiments.

"We are sorry to find you imagine the Vizir does not entertain a proper Sense of the Service of the Army in this Campaign. Although he may not have testified it directly to them, we can assure you, that he has not been wanting in his Letters to the President in Expressions of the warmest Sort, both as to their Behaviour and the Services which they have rendered him. It is not in the Manners of the Eastern Princes to signify directly to the Troops their Satisfaction in them; and very probably the Rumours which prevailed of the Treasures which he had acquired, prevented the Vizir from expressing his Sense of it in private Conversation, lest he should raise Expectations which it was not in his Power to gratify.

"We conclude with recommending, in the warmest Manner, that you exert yourself in bringing the Troops to a proper Disposition on the Subject in Question; that you discourage in future those occasional Reports of Riches and Treasure found by the Vizir, which are generally founded on idle Rumour, and the Cupidity or Self Interest of Individuals, and which can only tend to mislead the Soldier into Hopes which can never be realized, and instil Notions into him very incompatible with his Duty and Profession.

We are with Esteem, &c."]



"Fort William, 3d June 1774.

Then the Managers for the Commons acquainted the House, That the Subject of the Prize Money was finished for the present. That the next Allegation in the Article * which respects the Nomination and Appointment of the Rajah Mehipnarain had been proved by a Part of the Narrative before read to the House (+), and that therefore they should proceed to the next Allegation, namely, the Defendant's Exaction of a much

(*) Vide printed Articles, P. 7. Par. 3.

(+) Vide supra, Page 272.

larger annual Sum of Money than had ever before been paid, and larger than the Province of Benares could afford, viz. 40,00,000 Rupees per Annum as a Tribute.

The Managers for the Commons further stated, That the Letter which proved this Allegation would likewise prove several other Matters; and therefore, to save Time, they showed those Parts of the Letter to be read altogether, stating first shortly the different Allegations of the Articles which the Letter went to prove; namely, First, the Advancement of the Tribute to 40,00,000 Rupees per Annum: Secondly, That Mr. Hastings himself thought that Tribute too high: Thirdly, To shew the Grants and Pensions out of the Property of the Inhabitants of Benares: Fourthly, That certain Duties were laid upon Goods by his Authority without the Interference of the Council; and, lastly, To shew the Amount of the Revenues of Benares, as stated by Mr. Hastings himself; to which Statement they wished particularly to call the Attention of the House, in order that the House might better understand the Parole Evidence that would be given to that Point.

Read, from the Narrative of the Insurrection which happened in the Zemeedary of Benaris, (before delivered in), the following Extracts, beginning at the Appendix, Part I. Page 28. (*)

" Letter to the Governor General and Council, dated the 21st of November 1781, respecting the Settlement of the Zemeedary of Banaris, &c. (Signed) Warren Hastings.

" To Edward Wheler and John M^rPherson, Esquires, Members of the Council of Fort William.

" Gentlemen,

" In a short Letter dated the 5th of this Month, I informed you that I had on that Day concluded the Settlement of this Zemeedary, for the fixt and perpetual yearly Jummah of Forty Lacks of Rupees, with a Deduction of Rupees 6,66,666 : 10 : 10, being the Amount of Two Months Collections, estimated in equal Divisions for the current Year. I have now the Honour to send you the following Papers which comprehend all the Accounts and Deeds appertaining to this Transaction.

" Although I am convinced that with proper Management the Zemeedary might yield an Amount considerably exceeding that which I have taken as the Estimate of its Value, yet I must express my Apprehension, that unless the Naib can find Means to avail himself of better official Assistance than he at present possesses, his real Profits will fall below their allowed Amount; and on that Account I have encouraged him to hope that if he shall prove himself diligent in his Office, and punctual in the Discharge of his Kists to the Company, he may hereafter obtain, from the Indulgence of the Board, some Remission from the stipulated Jummah, whenever the actual Demands of the Company shall be lessened, and the State of their Treasury will admit of it; and this I shall recommend as an Act of Generosity becoming their former Relation to this Province, and equally warranted by the Principles of good Policy; for there are certain Lines beyond which the Exaction of a public Revenue, will not only defeat its own Purpose, but operate as effectually to a Reduction as an intentional Act of Bounty could do. But it is not my Wish to engage the present Attention of the Board in a Discussion upon this Subject; my Desire being only to premise what I may hereafter find necessary to introduce to their further Consideration, so that any future Proposition may not appear to arise wholly from the instant Occasion of it.

" I now proceed to the Explanation of the Particulars of the Settlement, as contained in the Account N^o 3. H. The first Deduction made from the gross estimated Jummah of Rupees 53,06,002 : 12 is the Sum of Rupees 61,496 granted in Jagheers and other Alienations. The first is a Jagheer granted to Beneram Pundit, of the yearly Amount of Rupees 25,000. I have already acquainted the Board with the faithful Services of this Man and his Family during the late Troubles; which I can take upon me to assure the Board, whatever was our Opinion of them at the Time, and how repugnant it may be to our national Character to regard any Situation of Affairs with the Eye of Despondency, were considered universally by all but ourselves, equally by Friend and by Foe, as utterly desperate. To the Merits of Beneram Pundit and his Brother, on this Occasion, I must add a long Series of Attachment and effectual Service, from the Year 1773 to the present Time." (*)

Here the Managers for the Commons acquainted the House, that the following Extract, about to be read, was to shew the Jagheers upon the Province of Benaris.

P. 31. " The next Article will require little Explanation and no Apology. Bundoo Khan, whose Name is affixed to a Jagheer of 2000 Rupees annual Rent, is an Inhabitant of the Town of Chunar. He attended Captain Blair in the unfortunate Attempt on Ramnagar, and in the Battle

(*) Vide supra, P. 151.

fought at Pateeta; and was of much Service to that Officer on both Occasions, by his Knowledge of the Ground, and by a natural good Understanding, which enabled him to apply that Knowledge to the Incidents before him. This Man suggested the Expedition which was afterwards formed, to take Possession of the Passes lying behind Luttee, or by an unknown and secret Route, and was himself the Guide of the Detachment. Although his Services, and that which he offered upon this Occasion, were gratuitous, yet as the Success of the Enterprize appeared to me, from his Description of it, likely to prove the Crisis of the War, I thought it advisable to secure his Fidelity, and animate his Exertions by such Incitements as were likely to operate with the greatest Power on a Man of his Rank and Situation in Life. I promised him a Jagheer in any Part of the Company's Dominions, of which he should make Choice, to the Amount of One thousand Rupees clear yearly Rent, if the Enterprize succeeded. The Event proved the Justice of his Advice, and the Truth of his Representations, and his Conduct in the Course of it obtained the most favourable Testimony of Major Crabb, the Officer who commanded the Party. On his Return to Chunar, I instantly granted him a Perwannah for the Village of Jalaulpoor, of which I had allowed him to make Choice, situated in the Pergunnah of Pateeta. He himself told me, that it yielded a Revenue exceeding 1500 Rupees, and to prevent Disputes if it were more, I have inserted it at the round Sum of Two thousand.

Page 32. "Jaggernaut Sing, late Commandant in the 3d Regiment of Sepoys, having been strongly recommended to me by Colonels Muir, Auchmuty, and other Officers of Rank, whose Recommendation at this Time had particular Weight with me, for a Provision in his declining Years, after having passed Thirty of his Life in faithful and meritorious Service, I procured for him a Jagheer, in the Zemedyary, to the yearly Value of 1200 Rupees. I am persuaded the Board will admit the Expediency as well as the Justice and Humanity of making a more comfortable Provision than our ordinary invalid Establishment allows for such native Soldiers as have merited the particular Attention of their Superiours; and I flatter myself that the present Instance, as well as the Principle on which it is founded, will meet with their Approval." (*)

Then the Managers for the Commons informed the House, That what was next about to be read, was the Account of the final Settlement with the Rajah Mehipnarain; and to render it intelligible they would state the Nature of it.—That it was an Account delivered in by Mr. Hastings, annexed to the Narrative and to the Appendix, No. 3. A. That he takes the total Amount of the Revenues of Benares at 53,06,002 : 12 Rupees. That he makes Deductions for Jagheers, amounting to 61,496 Rupees, leaving a net Balance of 52,44,506 : 12 Rupees. That he then deducts the Charges of the Collection in the Aumaunee Mehals, &c. amounting to 1,43,717 : 15 Rupees, which left a Balance of 51,00,788 : 13 Rupees. That he next deducts for Kheiragur, of which the Maulgoozary is appropriated to the Sircar of the Nabob Vizier, to the annual Amount of 1,98,046 : 14 Rupees, leaving a Balance of 49,02,741 : 15 Rupees. The next Deduction is for the Provision for the Rajah's Family, stating it to be for different Purposes, in several different Pergunnahs: One Sum of 1,58,341 Rupees, another 60,000 Rupees, another of 54,000 Rupees, and another of 6,30,400 : 15 Rupees, for the Rajah and the Expence of his Family; which last mentioned Sum of 6,30,400 : 15 Rupees, the Managers for the Commons desired the House to observe was the Sum to which their Attention was meant to be particularly directed. That these Three make together 9,02,741 : 15 Rupees, which being deducted from the last Remainder, left a net Balance of Forty Lacks; namely the very Sum of the Tribute Mr. Hastings thought fit to exact of the Province of Benares, after the Expulsion of the Rajah Cheit Sing.

P. 38.—"NUM. 3. H.

"FORM of the General Settlement concluded by the Governor General with Rajah Mehipnarain.

Jumma, as per Account	—	—	—	—	49,06,002 12 —
Add Profits enjoyed by the Bauboo, which may now be resumed, calculated at	—	—	—	—	4,00,000 — —
				Carry over	53,06,002 12 —

(*) Vide supra, P. 153.

			Brought over	53,06,002 12 —
Deduct Articles of Revenue now alienated : (viz.)				
Beneram's Jagheer	—	—	25,000	— —
Bundoo Khera Jagheer	—	—	2,000	— —
Jagheer of the Jagheer	—	—	1,200	— —
Half of the Maafh and Charity confirmed by Mr. Marriot, afterwards resumed, and now restored			33,296	— —
				61,496 — —
			Rup	52,44,506 12 —
Deduct also Charges of Collection, as per Account ; viz.				
In the Aumaanee Mehals	—	—	41,119 6 ½	
In the farmed Mehals allowed to the Farmers	—	—	1,02,598 8 ½	
				1,43,717 15 —
Deduct Revenue paid for Kheiragur to the Vizeer				51,00,788 13 —
				1,98,046 14 —
				49,02,741 15 —
Deduct Jagheers and Allowances for the Support of the Rajah, his Family, and Dependants ; viz.				
Jagheer of ½ Buddovee belonging to the Rajah	—	—	1,58,341	— —
Ditto Mahaytch Doorgbijey Sing			60,000	— —
Ditto Seidpoor Owfang Sing			54,000	— —
Allowance granted for the Support of the Rajah, his Household Expences, Family, Sewary, &c,	—	—	6,30,400 15	— —
				9,02,741 15 —
			Rupees	40,00,000 —"(*)

Then the Managers for the Commons desired Leave to state to the House, That an Omission had been made in the Evidence relative to the Proceedings at Bidjegur, which they thought extremely material to be supplied.

Read accordingly, from Appendix, Part II, Page 138, as follows :

" N^o 118. Translation from the Persian of a Proclamation issued by the Governor General the 25th of September 1781.

" Be it known to the Zemeedars, Aumils, Reyots, and all the Inhabitants of the Zemeedary of Banaris, &c. That whereas Rajah Cheit Sing, by many Acts of Rebellion and Perfidy, and the Murder of a Number of English Officers, Sepoys, and other Dependants of the Government of the Company, who were unarmed, has totally forfeited his Right to the Zemeedary of Banaris, &c. and become amenable to the Justice of the Company ; it is therefore made known and proclaimed that Cheit Sing and his Brother Soojaun Sing, and their Dependants, have, from this Period, no further Right or Interest in the Zemeedary of the said Province ; and all the Zemeedars and Reyots are required to withhold their Obedience and Submission from him, otherwise they will be punished accordingly. And whereas by the Sedition of Cheit Sing the Country has fallen into Confusion and Alarms, Assurances of Protection are hereby given to the Zemeedars and other Inhabitants of this Country, and they are hereby invited to repair to their former Places of Residence, and resume their usual Occupations in perfect Security. And lest any should entertain Apprehensions on Account of their Misdemeanors, it is declared that the past Offences of all the Inhabitants of this Country, who shall conform to this Order, are pardoned. And further, every Zemeedar and Aumil who shall, within the Space of One Month, repair to the Presence of the Governor General, or to Major William Popham, Commander of the Forces in the Field, and make their Submission, shall be pardoned ; and such as, on Account of the Distance of the Road, or any other valid Reason, cannot attend in Person, must send their Vakeels for this Purpose with proper Credentials. But be it known that the Persons of Cheit Sing and his Brother Soojaun Sing are excepted from this Pardon ; and the Town of Gopee Gunge, the Inhabitants of which have been particularly active in this Rebellion, and have committed many Acts of Sedition, and even Bloodshed on many of the Dependants of this Government, shall be destroyed, and the Inhabitants thereof punished, on a due Enquiry into their Crimes. Such Persons as, availing themselves of these Troubles, shall have plundered and oppressed the Inhabitants of the City of Banaris, and such as shall have committed

(*) Vide supra, P. 167.

Murder on peaceable Passengers, shall be rendered accountable for the same in the due Course of Justice (*).

Which being read, the Managers for the Commons acquainted the House, they should return to the Part they had interrupted, and next produce Evidence of the oppressive Duties which were laid by the Defendant upon Goods and Merchandize in the Province of Benares.*

* Vide printed Articles, Page 7. Par. 3.

Then the Witness produced Book 45, intituled, "Bengal Council, from the 8th April to the 20th May 1782."

Read, the following Extract of a Consultation of the 8th April 1782, beginning Page 103 of the said Book.

"Fort William, 8th April 1782.

Secret Dep. Monday.

"At a Council; Present,

The Honourable Warren Hastings, Esq. Governor General, President,

Edward Wheler, and } Esquires.
John M'Pherson,

Lieutenant General Sir Eyre Coote, K. B. absent on Service at Fort St. George.

☞ ["Read, the following Letters from the Resident at Benares.

"Honourable Sir and Sirs,

"I do myself the Honour of transmitting you, according to the Orders of the Honourable Governor General when at Benares, Account Particulars of the Customs as designed to be levied, and of the Duty as levied by Rajah Cheit Sing. Resident at Benares, 20th and 29th March.

"You will perceive that, to preserve Uniformity and to point out whatever Difference there may be between the present Duty and that proposed to be levied in a more striking Manner, I have rated the Three last Columns on a Tungay, or Six Maunds, the Load which a Bullock is supposed to carry; as the former Method of collecting the Duty was on the Weight, not on the Value of the Goods.

"I shall trust to the Candour of your Honourable Board for my Excuse in pointing out some Articles on which a Duty of 5 per Cent. will be too heavy, and by which the Collection would be required, viz. Mace, Cloves, Nutmegs, Cinnamon, and Silk.

"The People who principally trade in these Articles are the Maratta Merchants, and a religious Sect called Ahteets, who generally land their Goods at Mirzapore, and from thence carry them by Land and Bullocks into the Decan, or to Delhi; and they will find it more profitable to unload their Boats at Patna, and carry their Goods through Ramgur, than to pay so heavy a Custom as 5 per Cent. will amount to in the Road from Patna to Mirzapore.

"I know for certain, that on the Rumour being spread, in December last, that 5 per Cent. was to be levied on every Article, by the Directions of the Honourable the Governor General, that the principal Houses in the Decan immediately ordered their Gomastahs to stop all their Boats at Patna, and to send their Goods by the Rout above mentioned, if the Duty of 5 per Cent. was continued.

"I beg leave to lay before your Honourable Board another Proposition; Whether it will not be judicious to reduce the 5 per Cent. to 2½ on our own staple Commodities, viz. Broad Cloth, Europe Iron, Steel, and Copper.

"I have the Honour to be, &c.

"Benares, the 20th March 1782.

(Signed) W^m Markham.

"P. S. I have not been able to bring some certain Articles within the accompanying Statement, on Account of their indefinite Value and Weight. You will observe that Cloths more particularly are in the above-Predicament.

(Signed) W. Markham." ☞

"Resolved, That the Duties of 2½ per Cent collected by the Aumeen be abolished.

"Agreed that the following Letter be written to Mr. Markham:

"Sir,

"We have received your Letter of the 20th ultimo, with the Account of Duties designed to be levied by the Governor General's late new Arrangement, and of those exacted by the late Raja. To the Resident at Benares.

"As we agree with you in Opinion, that the Duty of 5 per Cent. being a great Increase upon the former Rates on some Articles would be too heavy, we direct that it be reduced to 2½ per Cent. upon the following Goods, viz.

Saffron,
Cinnamon,
Mace,
Cloves,

(*) Vide *supra*, p. 222.

4 F.

Nutmegs,

Nutmegs,
Cochineal,
Raw Silk,
Broad Cloth,
Europe Iron,
Steel,
Copper.

" Fort William, the 8th April 1782.

"We are, &c."

Then the Managers for the Commons acquainted the House, That the Evidence they were about to produce, related not only to the Points stated in the Letter read from the Appendix, No. 3. A, supra, Page 294, but likewise to some other Points, which, for the Sake of Perspicuity, they would shortly state; whereupon they desired the House to recollect there was a Charge in the First Article against Mr. Hastings of his having carried on a clandestine Correspondence with Mr. Markham *.

* Vide printed Articles, P. 7, Par. 4.

There were other Charges in the same Article as to the Removal of Doorgbijey Sing from his Office, the confining of him in Prison, and the Exactions made upon him by the Defendant †. There was also a further Charge relative to the Appointment of Jagger Deo Sing (called in the Charge Jagger Deo Seo) to the Office of Administrator of the Province of Benares ‡: All which Charges in the Article the Papers about to be produced would prove to be true.

† Vide printed Articles, P. 7, Par. 4, 5, 6.

‡ Vide printed Articles, P. 8, Par. 2.

Then the Witnesses produced Book 19, intituled, " Bengal Secret Council, from 23d September to 31st December 1782."

Read, the following Extract of a Consultation of 4th December 1782, beginning Page 711 of the said Book.

" Fort William, 4th December 1782.

" At a Council; Present,

Edward Wheler,
John M^rPherson, } Esquires;
and
John Stables, }

The Governor General and Sir Eyre Coote indisposed.

☞ [" The Proceedings of the 25th ultimo read and approved.

" The Secretary having received the following Minute, with the Letter inclosed in it, from the Governor General, they were circulated agreeable to his Instructions.

" 27th November 1782.

Governor General's Minute.

" Governor General.—I desire the Secretary to lay the accompanying Letters from Mr. Markham before the Board, and request that Orders may be immediately sent to him concerning the Subjects contained in them. It may be necessary to inform the Board, that on repeated Information from Mr. Markham, which indeed was confirmed to me beyond a Doubt by other Channels, and by private Assurances which I could trust, that the Affairs of that Province were likely to fall into the greatest Confusion, from the Misconduct of Baboo Doorkbijey Sing, whom I had appointed the Naib: Fearing the dangerous Consequences of a Delay, and being at too great a Distance to consult the Members of the Board, who I knew could repose that Confidence in my local Knowledge as to admit of this occasional Exercise of my own separate Authority, I wrote to Mr. Markham the Letter to which he alludes, dated 29th September last, of which I now lay before the Board a Copy. The first of the accompanying Letters from Mr. Markham arrived at a Time when a severe Return of my late Illness obliged me, by the Advice of my Physicians, to leave Calcutta for the Benefit of the Country Air, and prevented me from bringing it earlier before the Notice of the Board. It had indeed been my Intention, but for the same Cause, to have requested the Instructions of the Board for the Conduct of Mr. Markham in the Difficulties which he had to encounter immediately after the Date of my Letter to him, and to have recommended the Substance of it for an Order of the Board, of which indeed I had given him Expectation; and this will account for his Letter of the 24th October, stating the Subject without any Reference to the Orders which I had given him, and for his subsequent Letters, referring to my Orders for what he had done in Obedience to them, and in Default of Orders from the Board. I do now most earnestly recommend that the Board will be pleased to confirm the Appointment which Mr. Markham has made, and to direct him to exact from Baboo Doorkbijey Sing, with the utmost Rigour, every Rupee of the Collections which it shall appear that he has made, and not brought to Account, and either to confine him at Benares, or to send him a Prisoner to Chunar, and to keep him in Confinement until he shall have discharged the Whole of the Amount due from him.

Governor General's Minute.

" I feel myself, and may be allowed on such an Occasion to acknowledge it, personally hurt at the Ingratitude of this Man, and the Discredit which his ill Conduct has thrown on my Appointment of him. In my own Justification, it will be sufficient to recur to the Remembrance of my assigned Motive for his Appointment. The Rajah himself, scarcely arrived at the Verge of Manhood, was in

in Understanding but little advanced beyond the Term of Childhood, and it has been the Policy of Cheit Sing to keep him equally secluded from the World and from Business. It is therefore indispensably necessary to depute some Person for the Management of his Affairs, who certainly could appear so fit for this Trust as his own Father, whose external Appearance and Air, and the Mode of his Education, which Qualities were all that could be yet known of his Character, seemed besides to qualify him for that Charge. He has deceived me. He has offended against the Government which I then represented, and merits at least the Punishment of a rigid Exaction of its Dues, and, in my Opinion, a Forfeiture of its Bounties. As he was allowed a Jagheer of a very liberal Amount to enable him to maintain a State and Consequence suitable both to the Relation in which he stood to the Rajah, and the high Office which had been assigned to him, and sufficient also to free him from the Temptation of little and mean Peculations, it is therefore my Opinion, and I recommend that Mr. Markham be ordered to divest him of his Jagheer, and re-unite it to the Maulguzary, or the Land paying its Revenue through the Rajah to the Company.]

"The Opposition made by the Rajah and the old Rannee, both equally incapable of judging for themselves, do certainly originate from some secret Influence, which ought to be checked, by a decided and peremptory Declaration of the Authority of the Board, and a Denunciation of their Displeasure at their Presumption. If they can be induced to yield the Appearance of a cheerful Acquiescence in the new Arrangement, and to adopt it as a Measure formed with their Participation, it would be better than that it should be done by a declared Act of Compulsion; but at all Events it ought to be done. In the Management of this Business, I would recommend that the Board trust to Mr. Markham's Discretion for the Execution of their Orders.

"I must beg leave farther to recommend that Mr. Markham be authorised to grant the Khelaut for the Niabut to Baboo Jagger Deo Sing, and to carry into Execution the other Points of my Letter of the 29th September.

"The Institution of the new Offices therein recommended will effectually guard against the Embezzlements and concealed Practices which the Example of Doorkbijey Sing may suggest to others entrusted with that Charge.

Warren Hastings."

[Nia Serai, September 29, 1782.]

Copy of a
Letter from
the Governor
General to
Mr. Markham,
Resident at
Benaris.

"I have received your Letter of the 8th instant, and am no less pleased with your Conduct than I am dissatisfied with that of Doorbijey Sing. I am thoroughly convinced of his Incapacity, and of the Necessity of removing him. Your Recommendation of Ally Ibrahim Khawn gives me Pleasure. I consider it as a Confirmation of his Worth, and as an additional Proof of yours, that you have conceived a Friendship for the Man who, from the Nature of his Office, might possibly have been to many others in your Situation an Object of Jealousy. For the Reasons you have assigned, I think he cannot, with Propriety, accept the Niabut, and for the same Reasons I should be unwilling to make him a Sezawul. It is an invidious Office, inferior in Point of Dignity even to that of Naib, and invariably exposes the Person who possesses it, to the Ill will not only of his immediate Superior in his District, but of all over whom his Authority extends. The Post he already fills is as laborious as it is useful and important. Not only perfect Leisure, but popular Esteem, is in some Measure necessary to the perfect Discharge of its Duties; and I should be very sorry to give him an Employment that might contribute to rob him of either. Avail yourself, however, of his Experience and Abilities upon all Occasions, where they can be of Service to you in your public Business, and particularly upon the Arrangements which this Letter will authorise you to make.

"I need not tell you, my dear Sir, that I possess a very high Opinion of your Abilities, and that I repose the utmost Confidence in your Integrity. The Whole of your Conduct since our Acquaintance has served to impress me with these Sentiments; and mine, I hope, has proved, that I entertain them. From your long Residence at Benaris, and from the Part you have had in the Business of that Zemindarry, you must certainly best know the Men who are most capable and deserving of public Employment. From among these, I authorise you to nominate a Naib to the Rajah, in the Room of Doorbijey Sing, whom, on account of his ill Conduct, I think it necessary to dismiss from that Office. It will hardly be necessary to except Oossann Sing from the Description of Men to whom I have limited your Choice; yet it may not be improper to apprize you that I will on no Terms consent to his being Naib. In forming the Arrangements consequent upon this new Appointment, I request you will, as far as you can with Propriety, adopt those which were in use during the Life of Bulwant Sing, so far at least as to have distinct Offices for distinct Purposes, independent of each other, and with proper Men at the Head of each; so that One Office may detect or prevent any Abuses or Irregularities in the others, and together form a System of reciprocal Checks. Upon that Principle, I desire you will in particular establish under whatever Names one Office of Receipts, and another of Treasury. The Officers of both must be responsible for the Truth and Regularity of their respective Accounts, but not subject in the Statement of them to the Controul or Interference of the Rajah or Naib; nor should they be removeable at Pleasure, but for manifest Misconduct only. At the Head of one or other of these Offices, I could wish to see the late Boxey Rogoober Dyall; his Conduct in his former Office, his Behaviour

on

on the Revolt of ~~the~~ Sing, and particularly at the Fall of Bidjeegur, together with his general Character, prove him ~~not~~ worthy of Employment, and of the Notice of our Government. It is possible that he may have ~~no~~ objections to holding an Office under the present Rajah; offer him one however, and ~~we~~ know that you do so by my Directions. In forming these Arrangements, do not wholly neglect the Rajah; consult with him in Appearance, but in Appearance only. His Situation requires that you should do that much; but his Youth and Inexperience forbid that you should do more.

" With respect to Doorbijey Sing, he has dishonoured my Choice of him. It now only remains for me to guard against the ill Effects of his Misconduct; to detect and punish it. To this End I desire, that the Officers to be appointed, in consequence of these Instructions, do, with as much Accuracy and Expedition as possible, make out an Account of the Receipts, Disbursements, and Transactions of Doorbijey Sing, during the Time he has acted as Naib of the Zemindar of Benaris; and I desire you will, in my Name, assure him, that unless he pays at the limited Time every Rupee of the Revenue due to the Company, his Life shall answer for the Default. I need not caution you to provide against his Flight, and the Removal of his Effects.

" I am, &c.

" (Signed) Warren Hastings." 

" The Letters which follow were also circulated with the above Minute.

" To the Honourable Warren Hastings, Esq. &c. &c. &c.

" Benares, 24th October 1782.

To the Honourable Warren Hastings Esquire, from Mr. Markham.

" Honourable Sir, and Sirs,

" I have delayed sending to you the Accounts Treasury for the Month of September, as I have yet only received from Rajah Myip Narain the Sum of 1,55,000 Rupees in Part Payment of the Kist of Bahdown due the 21st ultimo.

" The Month of Assin is now elapsed, and I see no Probability of his speedily completing the Balance due on account of the Malguzzarry of the last Year. I have in the strongest Terms represented to the Naib Durbeetzy Sing the Impropriety of his Conduct, and the Ruin which must attend him, if thus acting contrary to my Advice, he will fully abuse the Trust reposed in him by your Honourable Board. He cannot plead Inability, for I am confident that he has ready Cash now by him more than sufficient to answer every Demand.

" I am sorry that my Duty obliges me to mention to your Honourable Board my Apprehensions of a severe Loss accruing to the Honourable Company, if Baboo Durbeetzy Sing is continued in the Naibut during the present Year. I ground my Fears on the Knowledge I have had of his Mismanagement: The bad Choice he has made of his Aumils, the Mistrust which they have of him, and the several Complaints which have been preferred to me by the Ryotts of almost every Purgunnah in the Zemindarry. I did not choose to waste the Time of your Honourable Board in listening to my Representations of his Inattention to the Complaints of Oppression, which were made to him by his Ryotts, as I hoped that a Letter he received from the Honourable Governor General would have had Weight sufficient to have made him more regular in his Business, and more careful of his Son's Interest. I am sorry to observe that it was but a temporary Remedy to the Evil.

" During a Course of Two Months Illness, he was incapable of transacting any Business whatsoever. In the most pressing Letters, I repeatedly enjoined him to appoint either One of his Brothers, or some confidential Servant, for the settling the Accounts of his Aumils, and for receiving the Kists due from them. I imagine he will find himself a very considerable Loser by neglecting this Advice.

" An innate Sloth in his Disposition, and a studied Procrastination in every Business where Application and Dispatch are necessary, mark him as unfit for the present Station, to which he has been elevated by his Alliance with the old Family of Bulwant Sing, and the Regard which the Honourable the Governor General paid to the obvious Idea of the Father's being the most proper Person for the Management of the Son's Affairs.

" I intended to have represented these Circumstances to your Honourable Board some Weeks ago, but was prevented by a severe intermittent Fever, which confined me to my Bed.

" I acquainted Mr. Day, the Paymaster to Sir John Cumming's Detachment, that I had your Directions for advancing Three Months Pay; but he required only Two Lacks of Rupees, for which I have taken his Drafts on the Military Paymaster General.

" I have the Honour to be, &c. &c. &c.

" W^m Markham, Resident."

To the Honourable Warren Hastings Esquire, &c. &c. from Mr. Markham, Benares, Nov. 11th 1782.

[" Honourable Sir, and Sirs,

" The Loss which would accrue upon this Year's Collections, if some immediate Step had not been taken, has obliged me to put in force the Orders which I received from the Honourable the Governor General, in a Letter dated 29th of September, and which I at that Time delayed to do, hoping that the Difference of a few Days would occasion no Detriment in the Collections, and that I should be able to persuade the Naib Durbeetzy Sing to pay up the Balances of his last Year's Malguzary. I have been deceived in the latter of my Expectations, and find Durbeetzy Sing more

more obstinate than ever in withholding the Balance of his Bahdoor Kist, Two Lacks of which only have as yet been received. It is necessary that I should make One Observation to you, that I am confirmed in an Opinion which I formerly had, but which I could not with propriety mention to your Honourable Board, that it never was Durbeetzy Sing's Intention to hold the Country longer than throughout the Fulslee Year One thousand one hundred and thirty-nine. My Reason is as follows: He has often expressed a Disgust that the Country should be put on harder Terms than those on which the late Rajah Chyet Sing held it; and you will observe that he has this Year only paid Twenty-seven Lacks Twenty-seven thousand Rupees, which is nearly the Amount of what Rajah Chyet Sing's Tribute was, after the Five Lacks on his Contribution towards the Expenses of the War was levied upon him. I am confident, and hope I shall be able to prove, that he has collected at least Forty Lacks from the Raje. I have therefore, in consequence of the Honourable the Governor General's Orders, sent him a Letter, informing him that he is dismissed from his former Employment; a Translation of which I have the Honour to inclose. I thought it proper that Durbeetzy Sing should be put under a gentle Confinement until I shall receive your Honourable Board's Orders for any future Measures.

"As the Honourable the Governor General has given me an Authority to select a proper Person for Naib, and as Baboo Naibul Sing and Baboo Jagger Deco Sing are the only Two of the Family of Rajah Bulwant Sing who are fit for such a Trust, I recommended the latter to the Honourable the Governor General; and as his Illness has prevented me from receiving further Instructions, I have appointed him Naib.

"The Honourable the Governor General also ordered me to establish Offices, which might not only be a reciprocal Check upon each other, but might also prevent any Collusion on the Part of the Naib. I shall therefore appoint a Dewane; One Office for Receipts of Revenue into the Treasury; a Treasury; and a Fourth Office, in which are to be kept all Disbursements from the Treasury. If I had waited for further Directions from the Honourable the Governor General, or your Honourable Board, the Collections on the Khareef Fulsil would have been entirely lost, and a Deficiency perhaps happened in the Forty Lacks, which is the Malguzarry from Rajah Mehpnerrain this Year, as a most unusual Drought has been universally felt over the Country, no Rain having fallen since the latter End of August, which may prove very detrimental to the Rhabbee Fulsil.

"Babbao Durbeetzy Sing has certainly Money by him sufficient to pay up the Arrears of the Month Bhadoon, and it would be proper that some stricter Confinement should oblige him to part with it for that Purpose; yet, let me assure your Honourable Board, that I will exert myself as much as possible to recover any Balances which may be due to him from the Country, and that it shall be my most earnest Endeavour to avert any Loss from the Honourable Company, which his obstinate Conduct and impolitic Dishonesty might otherwise occasion.

"I hope that your Honourable Board will approve of my Conduct in this Business; and that you will believe

"I am,

"Benaris, Nov. 12th, 1782.

"Honourable Sir and Sirs, &c. &c. &c.

W^m Markham, Resident."]

"A TRANSLATION of a Persian Letter to the Naib Durbeetzy Sing.

Translation of
a Persian Letter
to the Naib
Durbeetzy
Sing.

"After Compliments—The Impropriety of your Conduct, and intentional Delays in paying up your Bhadoon Khist, have at length determined the Honourable Nabob Imaud ul Dowlah, &c. &c. &c. to remove you from the high Station to which he formerly raised you, from all Interference in the Affairs of your Son, and consequently in those of this Zemindarry.

"You have since the First of Asteen of the Fulslee Year 1189, paid no more into the Treasury than Twenty-seven Lacks Twenty-seven thousand Rupees. It is impossible, from a Country by your own Account affording an easy Revenue of Forty-nine Lacks, that no more should be collected: I therefore recommend it to you most earnestly to make up the Balance due, and avoid the Dishonour and Shame, and perhaps even worse, which will inevitably pursue you, if you disregard these Injunctions. In the mean Time I have thought proper to keep a Guard upon your Person. I desire that you without Delay give me a Paper, containing the Names of all your Mutzuddies, Writers of Accounts, &c. &c. &c.; that you in the Course of this Day send me a List of the Balances due to you from the Aumils whom you have employed; that you give the most positive Orders to your Mutzuddies, &c. &c. &c. to render me a just Account and Information of the present State of the Country, and to attend me whenever I shall call upon them.

"W^m Markham."

"Honourable Sir, and Sirs,

"In a Letter which I did myself the Honour of writing to you on the 12th instant, I informed you that I had given Baboo Jagger Deco Sing the Appointment of Naib. He could not at that Time be invested with the Khalaat, as the Bramins prognosticated it a Day of ill Omen; and the 15th was fixed upon for the Ceremony.

To the Honourable Warren Hastings Esquire, &c. &c. from Mr. Markham. Benares, Nov. 14th 1782.

"Since

" Since that Time the old Rannee and the Rajah, instructed by Durbeetzy Sing, have most vehemently declared to me, that they will by no Means give their Consent that any other Person shall be appointed Naib. I therefore have deferred the Ceremony of granting him the Khalaat till I receive further Orders from your Honourable Board.

" It is necessary to be remarked, that Baboo Jagget Deeo Sing and Baboo Neehul Sing are the only Two of the said Family of Bulwant Sing, and indeed the only Two Men with whom I am acquainted in the Zemindarry, to whose Hands so high an Employment can be entrusted; and I gave the Preference to the former, as Age and Deafness are great Impediments to Business in the latter.

" I have the Honour to be, &c. &c. &c.

" Benares, Nov. 14th, 1782.

W^m Markham, Resident."

" The following Minute was returned with the foregoing Papers, and the Letter which is entered after it written to Mr. Markham :

" In Circulation.

" A Minute from the Governor General.

" Three Letters and One Inclosure from the Resident at Benares.

" Copy of the Governor's Letter to D^r, dated 29th September.

" Thursday, 28th Nov. 1782.

" Mr. Wheler.—I approve of the Measures recommended by the Governor General's Minute respecting Baboo Doorkbijey Sing, and of the Mode of carrying them into Execution through the Resident of Benares, which is his official Duty; and also of the Appointment of Jagget Deeo Sing to fill the Office of which Doorkbijey has been dispossessed; and of the Appointments recommended in the Governor General's Letter of the 29th September. The severe Indisposition with which the Governor General was afflicted when these Letters were received, and his Absence from the Presidency, are Subjects well known to every Member of the Board.

" (Signed)

E. W.
J. M^p.
J. S."

" Sir,

To Mr. Markham.

" We have now before us your Letters of the 24th October, 12th and 14th November. The Governor General has likewise communicated to us a Copy of the Letter which he wrote to you on 29th September from Nia Serai.

" The Measures which you have taken with Baboo Doorbijey Sing are perfectly right and proper, so far as they go; and we now direct that you exact from him, with the utmost Rigour, every Rupee of the Collections which it shall appear that he has made and not brought to Account, and either confine him at Benares, or send him a Prisoner to Chunar, and keep him in Confinement until he shall have discharged the Whole of the Amount due from him.

" We likewise direct, that for the Offence which he has been guilty of you divest him of the Jagheer which was assigned him, and re-unite the Property of it to the Malguzarry, or the Land paying its Revenue through the Rajah to the Company.

" We approve and confirm your Appointment of Baboo Jagget Deeo Sing to the Office of Naib of the Zemindarry, in the Room of Doorbijey Sing, and desire that you will invest him immediately with the usual Khelaat in due Form.

" We also direct you to carry into Execution the other Points of the Governor General's Letter to you of the 29th September, which remain to be accomplished.

" Fort William, 4th Dec. 1782.

" We are, &c. &c. &c."

Then the Managers for the Commons acquainted the House, That they had now read all the Letters they proposed to give in Evidence relative to this Part of the Charge; and that what was not completely made out by those Letters would be supplied by parole Testimony: That they should now proceed to the Conclusion of the first Article of the Charge, which they should read from the Article itself, in order to point out to the House what the remaining Part of the Proof would apply to, viz. " That " the Consequence of all these violent Changes and arbitrary Acts were the total Ruin " and Desolation of the Country, and the Flight of the Inhabitants; the said Warren " Hastings having found every Place abandoned at his Approach even by the Officers " of the very Government which he established, and seeing nothing but Traces of " Devastation in every Village; the Province in Effect without a Government; the " Administration misconducted; the People oppressed; Trade discouraged; and the " Revenue in danger of a rapid Decline. *"

This the Managers stated would be proved by a Letter of the 2d of April 1784 (already alluded to in the opening of this Article) from Mr. Hastings at Lucknow to the Council at Calcutta upon his second Expedition, giving an Account of the Situation of the Country from his own ocular Inspection;—but before they produced this Letter, it might be more in order to read the Petitions or Arzees from the Ranny, the Widow of Bulwant Sing, and the Rajah Mehipnarain, and then proceed to the abovementioned Letter, which would be the last Piece of written Evidence they should have occasion to produce upon this Article of the Charge.

Then the Witnesses produced Book 46, intituled, “ Persian Correspondence, Public Department, Letters received in the Year 1782.”

Read, the following Letters to the Governor General, both received on the 15th December 1782, No. 46 and No. 47 in the said Book.

“ From the Ranny, Widow of Raja Bulwant Sing.

“ Received 15th December 1782.

“ No. 46. I and my Children have no Hopes but from your Highness, and our Honour and Rank are bestowed by you. Mr. Markham, from the Advice of my Enemies, having protected the Farmers, would not permit the Balances to be collected. Baboo Dirgbeje Sing frequently desired that Gentleman to shew his Resentment against the People who owed Balances, that the Balances might be collected, and to give Ease to his Mind for the present Year, conformably to the Requests signed by the Presence, that he might complete the Bundobust. But that Gentleman would not listen to him, and having appointed a Muteledly and Taveeldar, employs them in the Collections of the Year, and sent Two Companies of Sepoys and arrested Baboo Dirgbeje Sing upon this Charge, that he had secreted, in his House, many Lacks of Rupees from the Collections, and he carried the Muteledlies and Treasurer, with their Papers, to his own Presence. He neither ascertained this Matter by Proofs, nor does he complete the Balance of the Sircar from the Jaidads of the Balances; right or wrong he is resolved to destroy our Lives. As we have no Assylum or Hope except from your Highness, and as the Almighty has formed your Mind to be a Distributor of Justice in these Times, I therefore hope, from the Benignity of your Highness, that you will enquire and do Justice in this Matter, and that an Ameen may be appointed from the Presence, that having discovered the Crimes or Innocence of Baboo Dirgbeje Sing, he may report to the Presence. Further Particulars will be made known to your Highness by the Arzie of my Son, Raja Mehipnaraine Bahader.”

“ Arzie from Raja Mehipnarain Bahader.

“ Received 15th December 1782.

“ No. 47. I before this had the Honour of addressing several Arzies to your Presence, but, from my unfortunate State, not one of them has been perused by your Highness, that my Situation might be fully learnt by you: The Case is this; Mr. Markham, from the Advice of my Enemies, having occasioned several kinds of Losses, and given Protection to those who owed Balances, prevented the Balance from being collected; for this Reason, that the Money not being paid in Time, the Baboo might be convicted of Inability. From this Reason, all the Owers of Balances refused to pay the Malwajib of the Sircar: before this the Baboo had frequently desired that Gentleman to shew his Resentment against the Persons who owed the Balances, that the Balances might be paid, and that his Mind might be at Ease for the present Year, so that the Bundobust of the present Year might be completed; adding, that if next Year such kinds of Injuries and Protection of the Farmers were to happen he should not be able to support it. But that Gentleman did not reprove the Owers of Balances; and with respect to the Satisfaction for the present Year, he said that he could not at this Time do it. From this Reason so great a Balance to the Sircar still remains. Besides this, upon the false Representations of my Enemies, that Gentleman said to the Baboo, “ You have secreted in your House several Lacks of Rupees from the Collections, and do not pay the Balance to the Sircar.” The Baboo requested that this Matter might be properly inquired into; but that Gentleman, without ascertaining it, appointed a Muteledly and a Treasurer from his own Sircar, for the Collections of the present Year. Afterwards, on the 4th of Zeheidja he sent an English Gentleman with Two Companies of Sepoys who put the Baboo under Arrest, at the same Time he threw the Muteledlies and Treasurer, with their Papers, into Confinement, and brought them to his own Presence, and told me that Orders had come from the Presence for a new Naib, and that I must appoint Jugdeo Sing Naib to finish the Bundobust of the present Year; and that having settled this Point with the Ranny, I should return. I gave him a proper Answer, and again went to the Presence of that Gentleman, and conformably to the Directions of the Ranny, I said to him, “ That, with respect to the Neabut of Jugdeo Sing, which he had ordered, I was now myself able to attend to and manage the Affairs * the Sircar, and that the Ranny did not consent or approve of a Naib: that it would have been incumbent on him, first, to have proved the Crime of Baboo Dirgbeje Sing, and then confined him: That this would have been proper, because, in the Room of all the Ranks and Honours bestowed upon him by the Presence, from the Event, Disgrace and Injury,

* Sic in Orig.

Injury, without Bounds, have come upon him: That now, from the carrying the Muteseddies and Treasurer, with their Papers, to the Presence, no Secrecy remained. If this Matter should be carried to the Proofs, the Baboo is entirely guilty; but in case of his Innocence, let the Guard be taken off, and then the Affairs of this Year may be fully discussed." Mr. Markham replied, that he would again write this Matter to the Presence.

" My Master, I do not know what he may have written to your Presence, I have therefore represented fully my distressed Situation; my only Hopes are from your Highness; my Honour and Rank are bestowed by you. Mr. Markham having written false Complaints to your Presence, has brought me to this Situation, and has thrown the Concerns of this Year into Incompletion and Ruin. I am therefore hopeful that an Ameen be appointed, who having enquired into the Crime or Innocence of the Baboo, may inform the Presence, and may compel the Owers of Balances to pay the Balance of the Sircar. You have approved of the Concerns of the present Year being completed by me; favour me so far as to prevent the Injuries, and Protection of the Farmers from that Gentleman, and that I may remain firm, conformably to the Requests signed by the Presence, that I may complete the Malwajib of the Sircar with Ease."

The Managers for the Commons said, They would in the next Place shew that there was but One Month in Arrear at the Time of Doorbidjey Sing's being put into Confinement.

Then the Witness produced Book 61, intituled, " Bengal Council, from 2d January to 11th February 1782."

Read, Extract of a Consultation on 5th February 1782, beginning at Page 387 of the same Book.

" Fort William, 5th February 1782.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheler, }
and } Esquires.
John M'Pherson, }

Lieutenant General Sir Eyre Coote, K. B. Absent on Service at Fort St. George.

" Extract of a Letter to the Governor General and Council, dated Benares, 25th Jan. 1782.

" Received the following Letter from the Resident at Benares.

" Honourable Sir and Sirs,

" I herewith have the Honour to transmit you an Account of the Receipts and Disbursements at this Treasury, from the 1st Assin, answering to the 14th of September 1781, to the 20th of January 1782, by which you will perceive, that Rajah Myipnarain has liquidated the Three first Kists of Assin, Kautick, and Augun."

Then Book 45, intituled, " Bengal Council from the 8th April to the 20th May 1782," was delivered in.

Read, the following Extract of a Consultation held on 20th May 1782, beginning at Page 619 of the same Book.

" Fort William, 20th May 1782.

" At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
Edward Wheler, }
and } Esquires.
John M'Pherson, }

Lieutenant General Sir Eyre Coote, K. B. absent on Service at Fort St. George.

" The Proceedings of the 16th instant read and approved.

" Read the following Letter from the Resident at Benares.

" Honourable Sir and Sirs,

" I herewith have the Honour to transmit you an Account of the Receipts and Disbursements at this Treasury, from the 3d March 1782 to the 3d April 1782, by which you will perceive, that Rajah Myipnarain has liquidated his two Kists for Maug and Phaugun."

Then the Witness produced Book 62, intituled, " Bengal General Council, from the 16th September to the 28th October 1782."

Resident at
Benares,
1st April.

Read, Extract of a Consultation of 30th September 1782, beginning at Page 234 of the said Book, as follows :

“ Fort William the 30th September 1782.

“ At a Council ; Present,

Edward Wheler, and } Esquires.
John Macpherson,

The Governor General indisposed.

Lieutenant General Sir Eyre Coote absent on Command at Fort St. George.

Pub. Dep.
Monday.

“ Honourable Sir and Sirs,

“ I herewith have the Honour to transmit you an Account of the Receipts and Disbursements at this Treasury, from the 3d August 1782 to the 3d September 1782, by which you will perceive, that Rajah Myipnarain has liquidated his 11 Kist for Sawcen.”

Extract L. t.
ter from Mr.
Markham to
the Governor
and Council,
dated from
Benares 22d
Sept. 1782.

Then the Witness produced Book 64, intituled, “ Bengal Council, from 2d January to the 10th of February 1783.”

Read, the following Extract of a Consultation, 27th January 1783, beginning at Page 510 of the said Book.

“ Fort William, the 27th January 1783.

The Honourable Warren Hastings, Governor General, President ;

Lieutenant General Sir Eyre Coote,

Edward Wheler,

John Macpherson,

John Stables.

Pub. Dep.
Monday.

“ Received the following Letters from Mr. Markham :

“ Honourable Sir and Sirs,

“ I herewith have the Honour to transmit you an Account of the Receipts and Disbursements at this Treasury from the 3d of October 1782 to the 3d of November 1782, by which you will perceive, that only 2,00,000 Rupees of the Bhadoon Kist, due the 21st September, has been received, and that a Balance of 6,06,331 : 5 : 10 yet remains to be liquidated.

“ I am in Hopes of obtaining this Balance in a few Days from the late Naib Durbeetzy Sing, who, according to your Orders, still remains in Confinement.

“ Benares,
30th September 1782.

I have the Honour to be, &c.
(Signed) Wm. Markham.”

“ Honourable Sir and Sirs,

“ I herewith have the Honour to transmit you an Account of the Disbursements at the Treasury from the 3d September 1782 to the 3d October 1782.

“ Benares,
30th December 1782.

I have the Honour to be, &c.
(Signed) Wm. Markham.”

“ Honourable Sir and Sirs,

“ I have the Honour to enclose you an Account of the Receipts and Disbursements at this Treasury, from the 3d December 1782 to the 3d January 1783, by which you will perceive that Baboo Jagger Devo Sing has liquidated Rajah Myipnarain's 1st Kist for Assin, due the 21st October.

“ I expect to receive the 2d Kist for Kautich in the Course of Four or Five Days.

“ Benares,
8th January 1783.

I have the Honour to be, &c.
(Signed) Wm. Markham.”

Then the Witness produced Book 65, intituled, “ Bengal Council, from 12th May to 3d July 1783.”

Read, the following Extract from a Consultation of 19th May 1783, beginning at Page 142 of the said Book.

“ Fort William, 19th May 1783.

“ At a Council ; Present,

The Honourable Warren Hastings, Governor General, President.

Edward Wheler,

John Macpherson, } Esquires.

John Stables,

“ Read the following Letters from the Resident at Benares.

“ To the Honourable Warren Hastings Esquire, Governor General, &c. Council.

“ Honourable Sir, and Gentlemen,

“ Mr. Markham, the late Resident at Benares, has left this Station to the * proceed to the Presidency, agreeable to your Orders, having previously delivered the Public Letters, Accounts, and other

Letter from
Mr. Benn to
the Governor
and Council

* Fac simile
of Orig.

other Documents, belonging to the Appointment of Resident, to me, in Charge, till the Arrival of Mr. Fowke.

" Mr. Markham's Letter, inclosing the Public Accounts, would inform your Honourable Board, that the Kists for the present Year, and the Balance due from Baboo Deerbidzy Sing, on account of the last, have been received into the Company's Treasury, except such Sums as your Honourable Board may not think just, and consequently not admit in the Claims which Baboo Durbidzy Sing has made for Deductions.

" Benares,
April 12, 1783.

" I have the Honour to be
Your most obedient humble Servant,
(Signed) John Benn,
Assistant to the Resident at Benares."

Then the Managers for the Commons desired the Witnesses might produce the Letter of Mr. Hastings from Lucknow before alluded to.

The Witnesses produced Book 47, intituled, " Bengal Secret Council, from 18th March to 30th June 1784."

Read, Extract of a Consultation on 20th April 1784, beginning Page 247 of the said Book, as follows :

" Fort William, the 20th April 1784.

Sec. Depart.
Tuesday.

" At a Council; Present,
The Honourable Edward Wheler Esquire,
and

John Macpherson Esquire.
The Honourable the Governor General absent on a Visit to the Nabob Vizier.
John Stables Esquire indisposed.

[" Read, the following Letter from the Honourable the Governor General.

Edward Wheler Esquire, Council, &c. &c. &c. Fort William.

Lucknow, the 2d April 1784.

" Gentlemen,

Governor
General,
Lucknow,
2d Apr. 1784.

" Having contrived, by making forced Stages, while the Troops of my Escort marched at the ordinary Rate, to make a stay of Five Days at Benares, I was thereby furnished with the Means of acquiring some Knowledge of the State of the Province, which I am anxious to communicate to you: indeed, the Enquiry, which was in a great Degree obtruded upon me, affected me with very mortifying Reflections on my own Inability to apply it to any useful Purpose. From the Confinement of Buxar to Benares, I was followed and fatigued by the Clamours of the discontented Inhabitants; it was what I expected in a Degree, because it is rare that the Exercise of Authority should prove satisfactory to all who are the Objects of it. The Distresses which were produced by the long continued Drought, unavoidably tended to heighten the general Discontent; yet, I have Reason to fear, that the Cause existed principally in a defective if not a corrupt and oppressive Administration. Of a multitude of Petitions which were presented to me, and of which I took Minutes, every one that did not relate to a personal Grievance, continued the Representation of one and the same Species of Oppression, which is, in its Nature, of an Influence most fatal to the future Cultivation. The Practice to which I allude is this. It is affirmed, that the Aumils and Renters exact from the Proprietors of the actual Harvest, a large Encrease in Kind on their stipulated Rent, that is, from those who hold their Pottahs by the Tenure of paying One Half of the Produce of their Crops, either the Whole without a Subterfuge, or a large Proportion of it by false Measurement, or other Pretexts; and from those whose Engagements are for a fixed Rent in Money, the Half, or a greater Proportion is taken in Kind. This is, in effect, a Tax upon the Industry of the Inhabitants; since there is scarce a Field of Grain in the Province, I might say not one, which has not been preserved by the incessant Labour of the Cultivator, by digging Wells for their Supply, or watering them from the Wells of Marisonry*, with which this Country abounds, or from the neighbouring Tanks, Rivers, and Nullahs. The People who imposed on themselves this voluntary and extraordinary Labour, and not unattended with Expence, did it in the Expectation of reaping the Profits of it; and it is as certain that they would not have done it, if they had known that their Rulers, from whom they were entitled to an Indemnification, would take from them what they had so hardly earned. If the same Administration continues, and the Country shall again labour under a Want of the natural Rains, every Field will be abandoned, the Revenue fail, and Thousands perish through the Want of Subsistence; for who will labour for the sole Benefit of others, and to make himself the Subject of Vexation? These Practices are not to be imputed to the Aumils employed in the Districts, but to the Naib himself. The avowed Principle on which he acts, and which he acknowledged to myself, is, that the whole Sum fixed for the Revenue of the Province must be collected, and that for this Purpose, the Deficiency arising in Places where the Crops have failed, or which have been left uncultivated, must be supplied from the Resources of others, where the Soil has been better suited to the

* Sic in Orig.

the Season, or the Industry of the Cultivators more successfully exerted; a Principle which, however specious and plausible it may at first appear, certainly tends to the most pernicious and destructive Consequences. If this Declaration of the Naib had been made only to myself, I might have doubted my Construction of it; but it was repeated by him to Mr. Anderson, who understood it exactly in the same Sense. In the Management of the Customs, the Conduct of the Naib, or of the Officers under him, was forced also upon my Attention. The exorbitant Rates exacted by an arbitrary Valuation of the Goods, the Practice of exacting Duties Twice on the same Goods, first from the Seller, and afterwards from the Buyer; and the vexatious Disputes and Delays drawn on the Merchants by these Oppressions were loudly complained of; and some Instances of this Kind were said to exist at the very Time when I was in Benares. Under such Circumstances we are not to wonder if the Merchants of foreign Countries are discouraged from resorting to Benares, and if the Commerce of that Province should annually decay. Other Evils, or imputed Evils, have accidentally come to my Knowledge, which I will not now particularize, as I hope, that, with the Assistance of the Resident, they may be in part corrected. One however I must mention, because it has been verified by my own Observation, and is of that Kind which reflects an unmerited Reproach on our general and national Character. When I was at Buxar, the Resident, at my Desire, enjoined the Naib to appoint creditable People to every Town through which our Route lay, to persuade and encourage the Inhabitants to remain in their Houses, promising to give them Guards as I approached, and they required it for their Protection; and that he might perceive how earnest I was for his Observance of this Precaution (which I am certain was faithfully delivered) I repeated it to him in Person, and dismissed him, that he might precede me for that Purpose; but, to my great Disappointment, I found every Place through which I passed abandoned; nor had there been a Man left in any of them for their Protection. I am sorry to add, that from Buxar to the opposite Boundary, I have seen nothing but the Tracks of complete Devastation in every Village, whether caused by the Followers of the Troops which have lately passed, for their natural Relief, and I know not whether my own may not have had their Share, or from the Apprehensions of the Inhabitants left to themselves, and of themselves deserting their Houses. I wish to acquit my own Countrymen of the Blame of these unfavourable appearances, and in my own Heart I do acquit them; for at One Encampment near a large Village, called Derrera, in the Pergunnah of Zemaneea, a Crowd of People came to me, complaining, that their former Aumil, who was a Native of the Place, and had long been established in Authority over them, and whose Custom it had been, whenever any Troops passed, to remain in Person on the Spot for their Protection, having been removed, the new Aumil, on the Approach of any military Detachment, himself first fled from the Place, and the Inhabitants, having no One to whom they could apply for Redress, or for the Representation of their Grievances, and being thus remediless, fled also; so that their Houses and Effects became a Prey to any Person who chose to plunder them. The general Conclusion appeared to me an inevitable Consequence from such a State of Facts, and my own Senses bore Testimony to it in this specific Instance; nor do I know how it is possible for any Officer commanding a military Party, how attentive soever he may be to the Discipline and Forbearance of his People, to prevent Disorders, when there is neither Opposition to hinder, nor Evidence to deter them. These and many other Irregularities I impute solely to the Naib, and I think it my Duty to recommend his instant Removal. I would myself have dismissed him, had the Controul of this Province come within the Line of my Powers, and have established such Regulations and Checks as would have been most likely to prevent the like Irregularities. I have said Checks, because unless there is some visible Influence, and a powerful and able one, impended over the Head of the Manager, no System can avail. The next appointed may prove, from some Defect, as unfit for the Office as the present; for the Choice is limited to few, without Experience to guide it. The first was of my own Nomination: His Merits and Qualifications stood in equal Balance with my Knowledge of those who might have been the Candidates for the Office. But he was the Father of the Rajah, and the Affinity sunk the Scale wholly in his Favour; for who could be so fit to be entrusted with the Charge of his Son's Interests, and the new Credit of the rising Family? He deceived my Expectations. Another was recommended by the Resident; and, at my Instance, the Board appointed him. This was Juggerdeo Sing, the present Naib. I knew him not, and the other Members of the Board as little.

While Mr. Markham remained in Office, of whom, as his immediate Patron, he may have stood in Awe, I am told that he restrained his natural Disposition, which has been described to me as rapacious, unfeeling, haughty, and to an Extreme vindictive. I cannot avoid remarking, that excepting the City of Benares itself, the Province depending upon it is in effect without a Government; the Naib exercising only a dependant Jurisdiction without a Principal. The Rajah is without Authority, and even his Name disused in the Official Instruments issued or taken by the Manager. The Representation of his Situation shall be the Subject of another Letter: I have made this already too long, and shall confine it to the single Subject, for the Communication of which it was begun: This permit me to recapitulate. The Administration of the Province is misconducted, and the People oppressed; Trade discouraged, and the Revenue, though said to be exceeded in the actual Collections by many Lacs (for I have a minute Account of it, which states the nett Amount, including Jagheers, at something more than Fifty-one Lacs) in Danger of a rapid

a rapid Decline, from the violent Appropriation of its Means. The Naib or Manager is unfit for his Office: A new Manager is required, and a System of official Control, in a Word, a Constitution; for neither can the Board extend its superintending Powers to a District so remote from its Observation; nor has it delegated that Authority to the Resident, who is merely the Representative of Government, and the Receiver of its Revenue in the last Process of it; nor indeed would it be possible to render him wholly so; for Reasons which I may hereafter detail. If, Gentlemen, you shall think it proper to entrust me with Powers for this Purpose, I will cheerfully undertake the Reformation of the Country, and will be answerable for its Effects; but I entreat that your Resolves may be instant: for from the Hour that it is known, that such a Design is in Contemplation, and it will be known in Ten Days after your Receipt of it, the Authority of the Manager will sink with his Influence, unless it is preserved by some immediate Pledge of Confirmation; and such I would advise, if you shall deem it improper to yield to my Recommendation. I have the Happiness to find all Men satisfied and happy in the excellent Administration of the City of Benares, and have experienced, what few Men of the first Station have known in the Intercourse with the Natives of India, if of any other Country, the Voice of Adulation diverted, even in my own Presence, from myself, in the Eagerness of bestowing a better merited Praise on another. Such is the Tribute which the Wisdom and Integrity of Ally Ibrahim Cawn have extorted from the Hearts of those who have been subjected to his Jurisdiction; and I dare trust to the Result of your own Enquiries, let who will make the Report of him, for a Confirmation of mine.

I have the Honour to be, &c. &c. &c.

(Signed) Warren Hastings."

" P. S. The above Letter was written immediately after my leaving Benares, but the Interruptions of travelling occasioned a Delay in transcribing it until the present Day. This Delay has, however, given me an Opportunity of ascertaining more fully the Informations I received at Benares, and of confirming the Opinion I before entertained.

(Signed) W. H.]



" Ordered, That the foregoing Letter do lie for Consideration until there shall be a full Meeting of the Council."

Then the Managers for the Commons desired John Stables Esquire might be called.

Then JOHN STABLES Esquire was called, and being sworn, was examined as follows:

Q. Whether you were not in the Province of Benaris in the Year 1764, during the Period of Bulwant Sing's Zemindary?

A. I was, in the Year 1764.

Q. In the Year 1764?

A. Yes.

Q. And Bulwant Sing was at that Time Zemindar?

A. Bulwant Sing was at that Time Zemindar.

Q. In what Capacity was you in the Province of Benaris at that Time?

A. An Officer in the Army.—I had the Honour to be Aid de Camp to the Commander in Chief, and acted then as an Officer in the Service.

Q. Whether you had any Intercourse with Bulwant Sing, and what your Opinion was of the State and Rank of Bulwant Sing?

A. I thought him a very considerable Prince.—He was in Possession of a very fine Country, and had a large Body of Troops.

Q. Whether you ever was in Company with Bulwant Sing in any Progress through the Country, or upon any other Occasion, which gave you an Opportunity of observing the Affections of his Subjects to him?

A. I had the Honour once of riding out with him, and I had great Pleasure in observing the Affection of his Subjects to him; his Villages were full, and they all came out to meet him.

Q. What State did the Country of Benaris seem to be in at the Time of which you have spoken with respect to Cultivation and Fruitfulness, in the Year 1764?—It may be necessary to ask first how long you staid at Benaris in 1764?

A. I cannot exactly speak to the Time we were there; I should suppose between Two and Three Months.

Q. In

Q. In what Part of the Year?

A. I think in November. The Battle of Buxar was the 23d of October. We marched afterwards to Benares, and we staid from thence it might be about Three Months—not quite Three Months.

Q. During the Time that you was there, had you any, and what Opportunity of observing the Condition of the Country?

A. The Country appeared to me in high Cultivation.

Q. What Part of the Country had you an Opportunity of observing?

A. The Army marched from Buxar to Benaris, and round Benaris.

Q. What is the Length of that March?

A. I do not recollect exactly.

Q. I do not mean exactly; how many Days march?

A. I cannot recollect.

Q. That was the Part of the Country you had an Opportunity of observing?

A. Yes.

Q. And you thought it in high Cultivation and rich?

A. It appeared so to me.

Q. Who was Commander in Chief at that Time, under whom you served as Aid de Camp?

A. At the Time I speak of, Major Hector Munro, now Sir Hector Munro.

Q. During the Whole of the Time you speak of?

A. Yes, during the whole Time.

Q. The Witness said the Troops went round Benaris, I wish to know whether the Troops, or those under the Command of the English Officers, were permitted to enter the Town of Benaris?

A. I believe not: a Chain of Centinels and Guards were set round it.

Q. Do you mean stationed round, or marched round?

A. We were encamped at some little Distance from the Town of Benares, and set Guards to prevent the Troops from getting into the City and committing Irregularities.

Q. Whether there was any Reason, peculiar to Benares, that made it necessary to place those Guards upon the Troops to prevent them entering into the Town?

A. Benares is an open defenceless Town, the Habitation of People of Religion, and of great Property, and they were not molested, and were requested to remain quiet in their Houses.

Q. They were not molested; but it was enjoined them to remain quiet in their Houses?

A. They were requested to remain quiet in their Houses.

Q. By your Commander in Chief, I suppose?

A. Yes.

Q. (By a Lord.) What was the State of the Population of that Part of the Country you saw?

A. The Villages appeared to me full of Inhabitants.

Q. Were the Villages near to each other, or remote from each other?

A. I thought there were a great many more Inhabitants than in our Provinces which adjoined to it.

Q. Which Provinces do you particularly allude to?

A. Gauzepore and Buxar.

Q. At what Distance, upon an Average, and generally speaking, are the Villages in that Part of the Country you went through?

A. They are scattered about here and there, about a Mile, some perhaps two Miles distant from each other.

Q. (Cross examined.) Whether you had any Opportunity of knowing and being acquainted with the Constitution of the Country, except from your casual Residence of Three Months?

A. I was as an Officer of the Army, and had no Opportunity of inquiring into the Particulars at that Time.

Q. You were with the Army, and had not so good an Opportunity of enquiring?

A. Not at that Time.

Q. Whether you had ever been in the Country before the Period of 1764 which you speak to, or ever have been there since the Time that you returned?

A. No, I never have.

Q. How long had you been in the Service of the Company in India when you went to Benares?

A. I arrived in India the latter End of the Year 1759; this I am speaking of was in 1764.

Q. In what Part of India did you arrive at in 1759?

A. First at Madras, afterwards in Bengal.

Q. Can you recollect what Time it was you came to Bengal?

A. I cannot speak particularly to the Distance of Time we arrived. I suppose it was either in September or October 1759.

Q. In Bengal?

A. In Bengal.

Q. Whether you had any Opportunity of knowing the precise Relation in which Bulwant Sing then stood to Sujah ul Dowlah?

A. No, I had not.

Q. Whether you can take upon yourself to say whether Bulwant Sing was at that Time an Aumil under Sujah ul Dowlah, or had any independent Rights of his own beyond the Office of Aumil?

A. I considered him as a Man of very great Consequence. We had taken every Step the Year before to bring him over to our Interest.

Q. (*By a Lord.*) We have taken your Answer to be, that you understood him to be a Man of great Consequence, and that the English had taken every Means the Year before to bring him over to their Interest?

A. Yes.

Q. The Question beyond that is, whether you know any Thing of the Manner and Constitution of his Office beyond what you observed, namely, that he appeared to have great Consequence belonging to him; his particular Situation you had no Means of knowing?

A. His particular Situation I had no Means of knowing, but I understand he paid Tribute to Sujah ul Dowlah; but that he had by some Measures rendered himself rather Independent. A particular Instance was, that he refused to go to the Presence of Sujah ul Dowlah, as I heard, when he was particularly called for.

Q. Do you know any Thing yourself of that Refusal to go to the Presence of Sujah Dowlah?

A. He was afraid, I should apprehend, for his own Safety.

Q. Does it fall within your Knowledge that he refused to go to the Presence?

A. It was a general Report in our Camp, and of the People who brought us Intelligence from the Enemy.

Q. Whether Bulwant Sing was not, at the Time you have been speaking of, serving in the Army of Sujah ul Dowlah?

A. In October I believe he was; but I said before that we endeavoured to draw him over to our Interest. Our Army was forced to retreat, and, of Course, he would not afterwards join us.

Q. Do you happen to know how long it was that Bulwant Sing was serving in the Army of Sujah ul Dowlah?

A. I don't recollect the precise Time when he joined Sujah ul Dowlah; but for a long Time he kept aloof while Sujah ul Dowlah was making his Preparations to attack Bengal.

Q. Was you in the Army with the English Forces at the Time that Bulwant Sing served in the Army of Sujah ul Dowlah?

A. Yes, I was.

Q. At what Time was that?

A. When Sujah ul Dowlah came down to invade the Provinces of Bengal, he came down with him, as we heard.

Q. Do you mean that he was in the Service of Sujah ul Dowlah, or that he was in our Service at the Time that Sujah ul Dowlah was defeated?

A. At the Time Sujah ul Dowlah was defeated he was in Sujah ul Dowlah's Service.

Q. At what Time was he defeated?

A. On the 23d of October 1764.

Q. When did he join our Arms?

A. At our Arrival at or near Benares.

Q. At what Time before the 23d of October 1764 was it he was serving in the Army of Sujah ul Dowlah?

A. I don't recollect how many Months. He was there for some Time across the River, and would not go to join Sujah ul Dowlah.

Q. At

Q. At what Time was he in the Army of Sujah ul Dowlah?

A. He was in the Army of Sujah ul Dowlah on the 23d of October 1764; and I cannot exactly say how long before.

Q. Can you go to any general Average of Time?

A. Early in the Year 1764, or the latter End of 1763, when our Army lay at Buxar, we were in Treaty with Bulwant Sing to join us.

Q. Between that Time and the 23d of October, had you any Thing more to say?

A. The Treaty broke off.

Q. Do you recollect when that Treaty broke off?

A. It broke off immediately upon our retiring: We were obliged to retreat from Buxar to Patna.

Q. Can you recollect what Time of the Year that Retreat was?

A. I cannot exactly say; it was early in the Year 1764, I think.

Q. At that Time you understand the Treaty broke off?

A. We understood he would not come to join us, because he would not join an Army that was retreating.

Q. (*By a Lord.*) Whether, when Bulwant Sing was serving in the Army of Sujah ul Dowlah, he was employed to command any of the Troops of Sujah ul Dowlah, or to command his own Troops?

A. We understood in our Camp, that he raised a large Body of Troops, and had joined Sujah ul Dowlah with near 10,000 Cavalry; we speak in round Numbers; we cannot exactly tell.

Q. Whether these Cavalry under Bulwant Sing, that joined Sujah ul Dowlah, were Troops in his own Pay, or whether they were in the Pay of Sujah ul Dowlah?

A. I believe they were in his own Pay.

Q. Whether, when a Tributary joins the Army of his Prince at the Head of his own Troops, he does not always command his own Troops, and those Troops only?

A. I believe in general that is the Case; but Sujah ul Dowlah assigned, as we heard, a different Command to Bulwant Sing—a separate Command.

Q. Whether you know of any pecuniary Assistance afforded by Bulwant Sing to Sujah ul Dowlah at the Time of the Treaty of Illahabad in August 1765?

A. I left the Army in the Beginning of the Year 1765, and consequently could know nothing of what passed afterwards.

Q. The Witness has spoken of having been present when the Inhabitants of the Villages came out to meet Bulwant Sing; I wish the Witness to be asked, Whether the same Circumstances would not have taken place, if an Aumil or Collector of the Province, and particularly an Aumil, or any other Person of great Authority, had come in the same Manner.

A. I thought their coming out proceeded from their Affection to him; it had that Appearance to me at that Time.

Q. But what the Manner of the Country would have been to any other great Person, you do not undertake to know?

A. They generally come out to any great Man; but I thought their coming out and speaking to him as they did, was from Affection.

Q. Besides the Ceremony to other great People, there was a Manner of Affection in the Behaviour of the People to him?

A. I thought so at the Time.

Q. Whether Bulwant Sing did or did not command a Part of the Army of Sujah ul Dowlah at the Battle of Buxar?

A. I believe he commanded his own Troops; a Part of them had crossed over the River to invade the Provinces to the Eastward of the Ganges, and Bulwant Sing was to have gone with a Detachment beyond the Ganges to invade those Provinces; but the Battle of Buxar put an End to that Scheme.

Q. Then, except the Troops which had crossed over the River, his Troops in general made a Part of the Army of Sujah ul Dowlah at the Battle of Buxar?

A. I believe so.—What Part they made I cannot say, but they made a Part of the Troops.

Q. Do you know whether the Cavalry you mention to have been in the Service of Bulwant Sing at the Period you have been speaking of, and making Part of the Army of Sujah ul Dowlah, were all raised in the Province of Benares?

A. I really do not know where they were raised.

Q. Do

Q. Do you consider yourself as having had an Opportunity of being well acquainted with the Province of Benares during the Time you mentioned before, from your Residence there, and your March?

A. I spoke a little of the Language at the Time, and the Hircarrahs or Guides were under my Direction.

Q. Which Language did you speak?

A. Hindostan.

Q. What were the Hircarrahs?

A. Guides.

Q. But who did they belong to?

A. They belonged to the Army, and were generally under my Direction.

Q. Were they Hindoos, or of what Cast?

A. They were of all Casts.

Q. The Question put to you was, Whether you consider yourself as well acquainted with the Province of Benares, from the Circumstance of your Residence and your March?

A. I have mentioned the Time I was there, and the Observations I made during that Time.

Q. Whether, from your Knowledge of the Customs of India, a Vassal is not always obliged in Time of War to be attendant upon his Sovereign?

A. I should suppose that he ought to attend him.

Q. What Part of India is it that your Knowledge leads you to speak of?

A. Bengal.

Q. You say you suppose a Tributary attends his superiour Lord; why do you suppose so? for what Reason?—Upon what Foundation do you go, in saying a Zemindar is obliged to be attendant upon his Sovereign?

A. I believe the Superior always gives him Orders to attend, and many do attend.

Q. Have you any Knowledge upon the Subject at all but what arises from general Reputation?

A. None.

Q. Whether you looked upon Bulwant Sing as a Vassal to Sujah ul Dowlah, and did he stand in that Relation to him at that Time?

A. I never considered him as a Vassal.

Q. In what Relation did you consider Bulwant Sing to stand to Sujah ul Dowlah?

A. He was originally, I believe, a Zemindar under Sujah ul Dowlah; but he had, by every Means almost, endeavoured to render himself independent.

Q. But did he consider himself as independent?

A. No; but he endeavoured to render himself independent.

Q. What do you mean by his holding of Sujah ul Dowlah under the Mogul?

A. He was tributary, and paid a Tribute to Sujah ul Dowlah, under whom he held; but what Tribute he paid, or on what Terms he held the Zemindary, I am not acquainted with.

Q. The Witness has said, he thinks a Zemindar is bound to attend his Superior in Time of War; does he think the Consequence of a Zemindar refusing to attend him would be a Forfeiture of his Tenure?

A. I am unacquainted what would have been the Consequence.

Q. Do you know any thing of the Laws or Rules of that Country but from Conversation or Rumour?

A. No, I am not acquainted with that.

Q. What do you understand to be the Situation of a Zemindar?

A. A Possessor of a District under a Sunnud.

Q. What Alteration was made in that Situation afterwards, when you say the Rajah began to grow independent? What were his Endeavours to make himself independent?

A. He raised a large Body of Troops, and treated to join us while Sujah ul Dowlah was making Preparations to invade the Provinces. I considered that as a Mark of his endeavouring to obtain Independence.

Q. What do you understand the Meaning of the Word Sunnud to be, as near as you can explain it, in English?

A. A Grant.

Q. And as applied to a Zemindary, a Grant of a District of Land?

A. Yes.

Q. At what Period was Bulwant Sing invited or ordered into the Presence of Sujah ul Dowlah?

A. I believe it might have been early in the Year 1764, or the latter End of the Year 1763; when our Army retired from Buxar.

Q. Whether he at that Period was in the Service of Sujah ul Dowlah?

A. He was Zemindar of the District of Benares.

Q. You have described Bulwant Sing as having the Command of a Body of Troops attached to the Army of Sujah Dowlah: Was it at the Time when he was so commanding, and attached to the Army of Sujah ul Dowlah, or before that Time, that he was ordered into the Presence of Sujah ul Dowlah?

A. It was before.

Q. You said he refused to go?

A. There was a Story universally believed, that Sujah ul Dowlah was obliged to send his own Son to him before he would come into his Presence.

Q. The Whole of this you speak from the Relation that was current in the Camp at the Time?

A. Yes.

Q. Do you know or believe that Sujah ul Dowlah had any Right to punish Bulwant Sing for refusing to come into his Presence?

A. I do not know.

Q. You were speaking of the Duty of a Vassal to be attendant on his Superior—Whether you know any Instance of such Vassal so bound commuting his Service for a Tribute or a Sum of Money?

A. I do not.

The Witnesses was directed to withdraw.

Then HENRY FOX CALCRAFT Esquire was called in, and being sworn, was examined as follows:

Q. Whether you served in the Army under the Command of Major Popham at Bidjeygur?

A. Yes.

Q. In what Rank did you serve?

A. As Colonel Popham's Aid de Camp.

Q. Was you present at the Surrender of the Fort?

A. Yes, I was present.

Q. Whether the Treasure found in the Fort was divided amongst the Detachment of the Army?

A. It was.

Q. By what Authority was it so divided?

A. Under the immediate Order of Colonel Popham, as I understood.

Q. What Opportunity had you of knowing by whose Orders they were divided?

A. After the Capture of the Fort, the Officers were desired to send for their Shares.

Q. Who sent them that Order?

A. The Order was circulated in the usual Military Form.

Q. You were Aid de Camp at that Time to Major Popham? Did you circulate that Order?

A. I believe it was written by the Brigade Major; I do not know whether it went through me, but I saw it.

Q. What is the usual Military Form of circulating Orders?

A. The Order originates in the Brigade Major's Office; it is copied from thence by the several Serjeants, and circulated through the Camp to the Gentlemen of the Detachment.

Q. Whether you know under what Authority Colonel Popham issued any Orders upon that Head?

A. On the Day of the Surrender, Colonel Popham shewed me a Letter from Mr. Hastings, which he deemed an Order, or I believe he would not have permitted it to be done.

Objected by the Counsel, that the Witness ought not to give Evidence of a Paper in the Possession of Major Popham; if the Paper exists, the Managers for the Commons ought to have given Major Popham Notice to attend, and produce it.

The Managers for the Commons answered, that the Question did not go to the Contents of the Paper.

Q. The Question is, whether the Division was by the Order of Major Popham?
 A. The Division was under the Order of Major Popham.

The Counsel objected, that the Letter said to have passed between Mr. Hastings and Major Popham ought to be produced and shewn to the Witnesses.

Notice was taken by the House, that the Witnesses had stated that the Governor General wrote a certain Letter to Major Popham, and that an Order for the Division of the Prize Money was given by Major Popham; and the Managers for the Commons were asked, whether they could carry that Point further?

The Managers for the Commons answered, " They could not."

Q. Whether you were sent by Colonel Popham with the News of the Surrender of the Fort of Bidjeygur to Mr. Hastings, the Governor General?

A. Yes.

Q. Whether you acquainted Mr. Hastings with the Division of the Plunder?

A. I did.

Q. Did Mr. Hastings express at that Time any Dissatisfaction at that Division?

A. Very great Dissatisfaction.

Q. Perhaps it may be better to ask, at what Time it was after the Plunder had been divided that the Witnesses acquainted Mr. Hastings with it?

A. I think I went the same Day the Money was divided, and arrived the next Morning at Chunar.

Q. How long was it between the Division of the Money and the Capture of the Fort?

A. To the best of my Remembrance the Money was divided the succeeding Day after the Fort was taken.

Q. Do you recollect the Day of the Month upon which the Fort was taken?

A. I think it was either the 9th or 10th of November. I don't speak positively as to that.

Q. Upon the Day after the Capture of the Fort, the Money was divided; and upon that Day or the next you went and acquainted Mr. Hastings with it, and at which Information you say he expressed great Dissatisfaction?

A. Yes.

Q. What Conversation passed between you and Mr. Hastings at the Time you acquainted him with this Transaction, and at which he expressed his Dissatisfaction?

A. A little while after I was introduced to Mr. Hastings, I begged his Acceptance of a Sword, in the Name of the Gentlemen of the Detachment, as a Testimony of their Respect and Esteem for him. Mr. Hastings said, " As such I accept it." He then asked me whether it was true that the Money had been divided; as a Rumour of that Sort had preceded my Arrival? I answered, It was true: At which Mr. Hastings expressed the most vehement Disapprobation. After some Conversation respecting it, which, from the Distance of Time, I cannot detail so circumstantially as I could wish, I retired. About a Quarter of an Hour afterwards Mr. Hastings sent for me, and asked what could have impelled Major Popham, when he was at so short a Distance, to suffer this Division of the Money, at a Time when the Company stood so much in Want of it. I answered, that I had seen a Letter which, according to my Conception and Construction of it, did authorize the Participation of the Plunder. Mr. Hastings said, that he had been referred to in every consequential Operation of the War, and it was very odd that a Business of this Magnitude should have been concluded without his Concurrence; and that the Letter I alluded to was no Authority: He then said the Officers must refund. I believe I should have stated, that, with the Sword, I gave a Letter from the Gentlemen of the Detachment, professing what I mentioned before. He said they must refund. I said I believed it would be impossible, for the Money was already too generally diffused. Mr. Hastings said, if the Gentlemen would refund, he would use his Influence with Mr. Wheeler and Mr. McPherson to give their Sanction for a Division afterwards; but the Company wanted it now, and they must have it.—I mean to say, that at this Distance of Time it is impossible I should recollect very circumstantially; it is near Eight or Nine Years ago. What I now say are the Heads of the Conversation, as it recurs to my Memory.

Q. Was that all the Conversation?

A. No.

The Witnesses said he was endeavouring to recollect further Heads, and then proceeded as follows:

A. I then told Mr. Hastings, that one Motive for the Precipitancy was the Recollection that the Rohilla Gratuity, or Prize Money, was not yet paid. That Money, Mr. Hastings said, the Troops had no Right to; and finally sent me back with a Letter, the Contents of which I am not acquainted

acquainted with; but it occasioned an Order from Major Popham to the Gentlemen to refund; which, however, none of them did.

Q. Whether any Present was sent from the Detachment to any Person; and what it was?

A. I should have mentioned, there were a few Articles of ornamental Plate which they desired Mrs. Hastings's Acceptance of. I mentioned this Circumstance to Mr. Hastings; but I do not believe she ever saw them; they were left there. I do not exactly recollect what Mr. Hastings said, but think it was, He would settle that. There is one Circumstance more I should have mentioned, which is, that Mr. Hastings, before I went away, said, his Acceptance of the Sword was conditional upon the Gentlemen refunding; and if they would not refund, then he would not accept it, or the other Presents. When I went away with the Letter, the Sword and the other Things were left in the Custody of Mr. Markham; what became of them afterwards I do not know.

Q. You said Mrs. Hastings never saw them.

A. No.

Q. What Conversation had you with the Governor General upon the Subject of the Letter authorizing the Plunder?

A. Mr. Hastings denied it was any Authority; and, as I recollect, made some Distinction between a private and a public Letter; he said it was a private Letter; and I said it could not be a private Letter, because it contained public Matter.

Q. What Conversation passed upon that?

A. The Conversation is not sufficiently impressed upon my Mind to recollect any more of it.

Q. (*Cross-examined*) The Witness having said, that the Acceptance of the Sword was conditional, I wish to ask, did Mr. Hastings retain the Sword?

A. Certainly not.

Q. Do you know whether Mrs. Hastings ever was in Possession of the Plate?

A. I am sure she was not.

Q. Having stated that you were present at the Surrender of the Fort of Bidjeygur—do you know whether any Plunder was committed upon the Person of the Rannee herself?

A. None to my Knowledge. I do not say that none was, but I do not know of any.

Q. Do you know at what Time of Night the Fort was evacuated?

A. It was at the Close of the Day; I do not exactly recollect.

Q. What Hour?

A. I cannot name the Hour; some Time in the Evening.

Q. Whether the Plunder that was committed upon the Persons who attended the Rannee was committed by the Soldiers of the Army, or the Followers?

A. Every Attempt was made to discover who it was done by, but it never could be discovered: I never heard any Person was punished for it; though Major Popham did his utmost to discover it.

Q. Whether any Officers were called upon to refund, or did afterwards refund the Money?

A. They were called upon, and did not refund.

Q. Whether at the Time the Rannee left the Fort every possible Mark of Respect and Attention was not shewn to her?

A. I do not recollect any particular Circumstance of Respect or Attention; but they had Palanquins and Cooleys, and every Thing of that Kind for their Accommodation.

Q. (*By a Lord*) The Witness said, the Rannee herself was not plundered; I wish him to be asked, whether any Escort was given to the Ladies when they left the Fort?

A. I should suppose there was, but I do not know whether there was or not, but I think there must have been.

Q. Whether before the Surrender of the Fort it was not generally understood by the Officers of the Army that the Plunder of the Fort was to be divided amongst them?

A. I can only say what I thought of it myself; I thought if there was a large Sum of Money Mr. Hastings would take it for the Company, if a small one it would be divided.

Q. Do you know the Amount of the whole Sum that was divided amongst the Army?

A. The Rannee had Fifteen per Cent. upon it, and I believe Twenty-four or Twenty-five Lacks were divided.

Q. You have said, that if it were a great Sum of Money you thought the Company would have it, if a small one you thought it would be divided: Whether you do not conceive Twenty-four or Twenty-five Lacks of Rupees come within the Description of a large Sum of Money?

A. Doubtless it is a large Sum.

Q. Do

Q. Do you know whether the Money was equally divided amongst the Officers and Soldiers, or in what Shares?

A. It was settled by a Committee of ~~Officers~~—a Scapoy got 100 Rupees; it was thought to be a very fair and equal Division.

Q. Whether it was by Order of Major Popham that the Ladies left the Fort at so late an Hour; was it their own Act, or the Order of your Commander? Do you know any Thing of it?

A. I do not.

Q. Can you state what was the Value of the Sword in Question?

A. I have no Idea of it; it was set with very bad Jewels; it was of no very great Value.

Q. Whether you had any Conversation with Major Popham upon the Remarks Mr. Hastings made on the Division of the Plunder?

A. I detailed the Conversation to Major Popham very circumstantially, but I do not recollect any particular Conversation between him and me upon it. I thought Mr. Hastings's Rejection of the Right did not agree with the Purport of that Letter, and Major Popham and I thought we had a Right to keep it.

Q. Whether the Receipt of that Letter was generally known in the Army?

A. I cannot tell.

Q. You said it was your Opinion if the Sum found in the Fort was a small one, the Governor General would give it up to be divided; if it was a large one, he would secure it for the Advantage of the Company: At what Time did you form that Opinion?

A. I cannot say when I formed the Opinion, but it was exactly what I would have done myself, and that is the Reason why I entertained that Opinion.

Q. Do you recollect whether you formed that Opinion before or after your hearing of that Letter?

A. I considered the Letter as a palpable Admission of the Right.

Q. After you had seen the Letter, did you then retain that Opinion?

A. I think I have answered the Question by saying, I considered the Letter as an Admission of the Right.

Q. The Question put to you is, after you had seen that Letter which you suppose to be an Admission of the Right, Did you continue to entertain an Opinion that a Difference would be made between a large and a small Sum?

A. Most certainly not.

Q. Whether Mr. Hastings said any Thing to you about the Right that any other Officers or Soldiers besides those present at the taking of the Fort had to a Division of the Plunder?

A. Yes; I now recollect that Mr. Hastings said the Division was a Scramble rather than a Division, and if there was any Division Colonel Blair and Major White ought to have been included.

Q. Who were they? What Part of the Army did they command?

A. Colonel Blair commanded at Chunar, and Major White (who commanded a Regiment at Chunar), had waived his Right to Major Popham.

Q. How far is Chunar from Bidjeygur?

A. I believe about 40 or 50 Miles.

Q. (*By the Managers*) The Witness said first, he did not know what the Value of the Sabre was, and afterwards that it was not considerable; I wish to know whether he has any Knowledge of the Value of the Jewels?

A. That Sabre was ornamented with a particular Sort of Jewels called Lasks, an inferior Sort of Diamonds.

Q. Do you know the Difference between Lasks and proper Diamonds?

A. A Lask is a very thin cutting of a Diamond, and those are of little or no Value.

Q. When you left Chunar, in whose Possession did you leave the Sabre and the Plate?

A. I was asked in whose Possession I left the Sword and other Things; the Answer is, I left them with Mr. Markham.

Q. Did you ever see them afterwards, or hear any Thing of them?

A. No.

Q. Then how can you take upon yourself to say positively that they never came into the Possession of Mr. or Mrs. Hastings?

A. Because they were carried out of the Room by me, and I gave them into Mr. Markham's Hands; I speak only to my Belief of the Subject, that Mrs. Hastings never saw the Plate.

Q. Who was Mr. Markham?

A. Resident at Benares.

Q. At

Q. At that Time?

A. Yes.

Q. Did Major Popham express any Surprise at Mr. Hastings's Disapprobation of the Division of the Plunder?

A. I do not recollect what passed between Major Popham and me upon it.

The Witness was directed to withdraw.

Then JOHN BENN Esq; was called in, and being sworn, was examined as follows :

Q. In what Situation was you at Benares?

A. In the Year 1782 and 1783, I was Assistant to the Resident at Benares.

Q. When was you appointed Assistant to the Resident at Benares?

A. In January 1781.

Q. Did you go to reside there then?

A. No, not till some Time after.

Q. When did you go to reside at Benares?

A. In the Month of April 1782 : In March or April.

Q. I should wish the Witness to be asked, Whether he had any Opportunity of examining into, or knowing what Rent or Revenue the Country of Benares was able to pay?

A. I resided there for some Time, and made such Enquiries as I thought would ascertain it.

Q. Did those Enquiries, or did they not, furnish you with an Opportunity of knowing that Fact?

A. Not as a Certainty, but as a Matter of Opinion.

Q. What was the Result of your Opinion from the Enquiry you made?

A. I thought that the Country would not continue to yield Forty Lacks of Rupees.

Q. Whether he has any Means of knowing what the Country did yield in the Time of Bulwant Sing?

A. No certain Documents.

Here the Question and Answer were, by Desire of the Managers for the Commons, read over to the Witness by the Clerk.

Then the Witness was asked,

Q. Have you any other Means of knowing besides certain Documents?

A. I have enquired of some of the Servants of the Rajah, employed in his Offices.

The Counsel for the Defendant objected, That this was not Evidence to ascertain the precise Sum.

The Managers for the Commons stated, That there was an Account before the House, by which it appeared there was an Allowance to Rajah Mehipnarrain of Six Lacks of Rupees, and desired the Witness might be asked,

Q. Whether that Allowance was annually received by Mehipnarrain?

A. I believe it was not.

Q. Do you know the Reason why it was not received?

A. I understood the Rajah claimed it from the Naib, and it appeared the Country would not yield it.

Q. What Manner of Understanding had you of it? How did you understand it?

A. From the Naib himself; he told me so.

Q. Who was the Naib?

A. Doorgbijey Sing, and Jagger Deo Sing.

The Counsel for the Defendant objected, What Jagger Deo Sing and the other Naib said was no Evidence.

Q. Do you know at what Time Doorgbijey Sing was put into Confinement?

A. The latter End of October or November 1782.

Q. How long did he continue in Confinement?

A. Till April following, 1783.

Q. I would wish to know whether he was ever again put into Confinement after that April? Was he discharged in April?

A. He was.

Q. Do you know of his being put in ~~Confinement~~ after that ?

A. He was.

Q. When was it ?

A. About the March following, 1784.

Q. Do you know of the Fact of his being confined ?

A. I do.

Q. How long did he continue in that Second Confinement ?

A. I believe till March 1785.

Q. Was he then released from his Confinement ?

A. He died, I believe, in Confinement, in that Month.

Q. Do you know any Thing of his Confinement ; where was he confined ?

A. He was confined at Benares.

Q. Do you know of his having died in that Confinement ?

A. Yes.

Q. Whether any Complaints were ever made to you, in your Situation as Assistant Resident, that the Rajah did not receive the Stipend allotted to him of Six Lacks of Rupees ?

A. None—no Complaints.

Q. Do you know of any such Complaints being made to any other Person, and to whom ?

A. No.

Q. I should wish that he was desired to recollect himself, and answer the Question, Whether he does not know that Rajah Mehipnarrain made Complaints, that his Allowance was not paid to him, to the Officers of the British Government, and to whom ?

A. I do not recollect that he made any Complaints to any of the Officers of the British Government at Benares.

Q. Do you know that the Naib Doorgbijey Sing complained he could not collect the Revenues of the Country, to any of the Officers of the British Government ?

A. I do not.

The Counsel objected to this as no Evidence, unless the Complaints were afterwards represented to Mr. Hastings.

Q. Do you know whether Doorgbijey Sing made any Complaint to any of the Officers of the British Government that he could not collect the Revenue ?

A. I do not recollect he did.

The Managers for the Commons said, They were extremely sorry to put the Question again to the Witness, to desire he would inform the House,

Q. Whether Doorgbijey Sing complained to any Officers of the British Government that he could not collect the Revenue ?

A. I do not recollect he did.

Q. Did he ever complain to any of the Officers of the British Government, and to whom, that he could not collect the Sum of Six Lacks, which was allowed to the Rajah ?

A. I never heard that Doorgbijey Sing did make that Complaint.

Q. Do you or do you not know whether the whole Sum of Six Lacks annually was paid to Rajah Mehipnarrain ?

A. I believe it was not.

Q. Do you know any Thing of it—was it a Part of your Business to know whether it was or was not paid ?

A. No, it was not.

Q. (*Cross examined*) Whether you had any Opportunity of seeing Doorgbijey Sing during the Time he was in Confinement ?

A. I never did see him during the Time he was in Confinement.

Q. Do you know where he was confined, and how he was treated ?

A. He was confined in a House at Benares belonging to the Rajah, situated in a Garden, which, I believe, might be about Six Acres of Ground ; the House was in the Centre, and surrounded by a high Wall. He had Permission to walk about that Garden, and the Guard placed to secure him was on the Outside of the Wall of the Garden.

Q. It having been suggested, this Confinement was the Cause of the Death of Doorgbijey Sing, I would wish the Witness to say what he knows was the Cause of Doorbedjy Sing's Death ?

A. I believe Dificale was the Cause of his Death.

Q. Do

Q. Do you know any Thing of his Death, or what occasioned it?

A. He had been long ill, and died of that Illness.

Q. Whether the Subject of the Demand, relative to the Arrears of Rent, was not submitted to Arbitration, on the Part of the Company, to Ally Ibrahim Cawn, and whether Doorgbijey Sing did not submit to that Arbitration?

A. It was submitted to Arbitration.

Q. By whose Consent?

A. By mutual Consent.

Q. Of whom?

A. Of Doorgbijey Sing and Jagger Deo Sing.

Q. To whom?

A. Ally Ibrahim Cawn.

Q. Whether Ally Ibrahim Cawn awarded any Thing, and what to be due to the Company?

A. I do not know the exact Sum, but think he awarded to the Company about 1,50,000 Rupees.

Q. Was the Award made in Writing?

A. It was.

Q. What was the Character of Ally Ibrahim Cawn, and in what Esteem was he with the Natives?

A. In very high Estimation.

Q. Whether it was usual to have a Mahometan in the Situation of Chief or Supreme Magistrate before this Time?

A. In 1781 he was Chief Judge of Criminal and Civil Matters; I believe before the Country was ceded to the East India Company, and while it was under the Vizier, Justice was administered by a Mahometan. When it was given up to the British Government, it was administered by a Hindoo, put in by the Rajah?

Q. Whether, in all the Time you was at Benares, you ever heard a single Complaint made against Ally Ibrahim Cawn?

A. I never heard One.

Q. In what Situation, in point of Cultivation and Population, was Benares when you saw it last, and what Part of the District of Benares have you seen?

A. I have seen nearly the whole District.

Q. When did you see it last?

A. I left Benares in the Year 1786; I believe in February in that Year.

Q. What was the Condition of Benares when you saw it last, in point of Cultivation and Population?

A. It was both well cultivated and peopled, the Parts I saw.

Q. Did you see Benares in 1783, and in what Condition of Population or Cultivation was it then?

A. In 1783 I travelled from Benares to Buxar, on One Side of the River, and we travelled the same Distance upon the other Side of the River. I also travelled through the District of Benares to Chaundpore, which was rather a circuitous Way over that District, and I found it both populous and well cultivated.

Q. Do you know any Thing of it in the Years 1784 and 1785?

A. I resided in the Province of Benares in the Years 1784 and 1785; and the Description that I have given appears to be as applicable to those Years as the others.

Then the Managers for the Commons desired Permission to put a few Questions to the Witnesses which they had omitted; and first,

Q. Under whose Direction the Mint at Benares was, during the Time of his Residence there?

A. Under the Direction of the Resident.

Q. How were the Profits arising from the Mint applied; do you know?

A. As a Perquisite of the Resident's Office.

Q. Do you know whether there was any Monopoly of Salt Petre in the Province of Benares while you were there?

The Counsel for the Defendant submitted, That before this Question was answered, the Managers for the Commons should point out whether it had any Reference to the Charge.

The Managers for the Commons were asked, To what Point of the Charge the Question applied?

They made Answer, That it was stated in the Charge, that Mr. Hastings arbitrarily deposed Rajah Cheyt Sing, and gave the Government to Rajah Mehpnarrain.

It was further stated, That the Mint belonged to him, and that the Question was put with a View to shew how Mr. Hastings settled the Government after he placed Mehpnarrain there.

The Counsel for the Defendant replied, That the Charge states the Instances in which he did tyrannically settle the Government*: That he did of his own mere Authority raise the Tribute to 400,000l. and that he wantonly and illegally imposed certain oppressive Duties upon Goods and Merchandize, to the great Injury of Trade and Ruin of the Province; and did further dispose of as his own the Property within the said Provinces, by granting the same, or Parts thereof, in Pensions to such Persons as he thought fit: And therefore submitted that the Managers for the Commons ought to bring the Question within these Specifications.

The Managers for the Commons maintained, That to prove the Defendant guilty of great Misdemeanours in having deposed Cheyt Sing and setting up Rajah Mehpnarrain, it was necessary to shew how and upon what Terms he had so done; and therefore, amongst other Things, they should shew that he gave the Monopoly of Trade to Persons belonging to himself.

The Managers for the Commons were asked, Whether they pressed that particular Question? To which they answered, That they did not mean to give up their Right to put the Question; but should not at that late Hour trouble the House to go to the Chamber of Parliament.

The Managers for the Commons then proposed to put this Question to the Witness, viz. Whether he was examined before the Committee of the House of Commons?

The Counsel for the Defendant stated, that this was a new Question, and that the Managers for the Commons had no Right to put it, unless it arose out of Matter in the Cross-examination.

The Counsel being asked, If they had any Objection to the Question now proposed being put? Made answer, That they had not, except that it was a new Examination.

Then the Question was put.

Q. Have you ever been examined before the Committee of the House of Commons?

A. I have.

Q. Whether you did not before that Committee answer the following Question in the following Manner: "Who was to pay Mehpnarrain the Allowances stipulated for him by the Governor General? Answer. Doorgbijey Sing."

The Counsel were asked, If they objected to that Question being put?

The Counsel answered, That they must object to that Question, it being perfectly new in Judicature for a Party to undertake to impeach his own Witness; and were heard in Support of the said Objection.

The Managers for the Commons were heard in Answer to the same, and, in the Course of their Argument, acquainted the House, that the Question and Answer which they had proposed the Witness to speak to, were only introductory to a further Question put to the Witness, and his Answer thereto, before the Committee of the House of Commons, which they meant to insist upon, and stated the same as follows:

"Q. Did he not alledge he never received what was allowed him?

A. He says he had not received the Sum that was to be allowed him. He did not receive his Money Allowance, because the Receipts of the Country could not afford it, they being estimated at a Standard of 49 Lacks, whereas they cannot produce above 44 or 45 Lacks, nor that, unless good Care is taken of the Country. The State of the Country depends on its being well nursed. The Country has been made by Care, and without that Care would soon fall off. It never yielded in Bulwant Sing or Cheit Sing's Time above 45 Lacks."

Then the House adjourned to the Chamber of Parliament.

* See the printed Articles, Page 7. Paragraph 3.

Die Jovis, 10^o Aprilis 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said: Gentlemen of the House of Commons, I am commanded by the Lords to acquaint you, that it is not competent to the Managers for the Commons to put the Question last proposed by them to the Witness, namely, "Whether he had not, before a Committee of the House of Commons, answered the following Question in the following Manner;

Q. Who was to pay Mehpnarrain the Allowances stipulated for him by the Governor General?

A. Doorgbijey Sing."

The Managers for the Commons requested leave to withdraw for a while.

The Managers for the Commons being returned, said, it was with the greatest Concern they informed the House, that it was impossible for them to acquiesce in the Decision of the House: That they felt it so important not only to the present Question, but to the Whole of the Trial, and to the Proceedings upon Impeachment in general, that they should hold themselves bound to go back to the House of Commons, who sent them thither, to take Instructions from them how to proceed, if they did not feel it necessary to proceed with Vigour and Dispatch, which might make them for the present waive their Opinion upon the Subject, but under a Protest the most strong, that they had a Right to put the Question proposed, and that if they should think a similar Question necessary to be put in the Course of the future Proceedings, they would propose it for the more deliberate Judgment of the House.

The Managers for the Commons were informed they might proceed with their Evidence.

Then John Benn Esquire was again called in, and the following Question put to him on the 29th of February last, and his Answer thereto, were read to him:

Q. Have you ever been examined before a Committee of the House of Commons?

A. I have.

Then the Witness was asked,

Q. What was the Purport of the Evidence he gave before that Committee?

A. The first Part of the Evidence was relative to my Situation at Benares.

The Witness asked, if it was meant that he should go through the Whole, as far as he could recollect?

The Managers for the Commons said, It was: Whereupon the Witness proceeded as follows.

A. I was examined also relative to the Imprisonment of Doorgbijey Sing; to the Appointment of Jagger Deo Sing; to the dispossessing him, and the appointing a Third Naib; relative to the Rajah of Benares; to his receiving or not receiving the Sum of Six Lacks of Rupees, as set down in the general Account of the Country in Mr. Hastings's Narrative; respecting what I suppose to be the Value of the annual Revenue of that Country. I do not recollect any other material Question respecting Benares that was asked me, except as to my Knowledge of the Rajah having not received the Six Lacks of Rupees. I was also questioned relative to the Produce of Saltpetre in that District; and also to the Produce of the Opium in that District. Those were the only material Questions asked me. There were many others which formed Part of those general Heads; but I speak rather from an imperfect Recollection, as I never saw the Evidence after I gave it upon those Subjects: It is now some Time since; and if there be any other that I have

not mentioned, I should hope it might be mentioned from the Managers, if it is of any Consequence, that I may answer it.

The Managers for the Commons stated, that the Witness had given an Account of the Subjects upon which he was examined before the Committee; and that the Managers did not want to know what Questions were asked him, but what Answers he gave with respect to the particular Articles mentioned.

A. I find myself at a Loss—My Examinations were long; it is a considerable Time since; and I may, perhaps, omit Part that I mentioned there—There are Circumstances of Recollection; and one Circumstance recalls to Mind another: Perhaps I may here omit to state some Circumstances that were there put to me, which I do not recollect now.

Q. Do you recollect what Account you gave of the several Articles you have mentioned?

A. Of those I have mentioned I think I do.

Q. Upon what Head in particular?

A. May I be allowed to look at the Evidence which I gave before the Committee of the House of Commons to refresh my Memory upon the Circumstances that were then asked?

Q. (*By a Lord.*) I wish to ask, Whether the Evidence given by you before the Committee of the House of Commons was subsequently read over to you after it was taken down?

A. In different Parts the Answer that I made was read immediately: A fresh Question was then put to me; the Question was read as taken down by the Clerk of the Committee, and the Answer that I gave was read to me as taken down by him, as far as I can recollect.

Q. Whether, if it was taken incorrectly, the Evidence was corrected as taken down?

A. I do not recollect any Instances of Incorrectness: But I made my Replies and entered into Conversations upon the particular Parts where there appeared to be any Doubt, as explanatory of what I had said, or to ask the Meaning of such Questions as were put to me which might admit of Two Meanings. At my First Examination upon the Business of Benares, I seemed, before the Committee, to be rather at a Loss at first to answer immediately to their Questions: One of the Managers, I thought, seemed to imagine I was rather thinking how to evade the Questions, than how to answer them—I speak of the Idea I myself had. I was at a former Examination upon a different Charge; and upon receiving a Second Summons to attend the Committee, I imagined that I should have been examined upon that same Charge: When I appeared before the Committee, I found it was to a different Charge, and that it was an Examination of Recollection to Circumstances that had passed Six, Seven, or perhaps Eight Years before: I did not find myself immediately competent to answer the Questions immediately put to me, without considering; because I had not prepared my Mind, or refreshed my Recollection, before I went there, upon that particular Charge, supposing that I should not then be examined upon it. I mentioned this Circumstance at that Time to the Honourable Managers, stating the Difficulty that I felt. The Reply was, That the Committee was not a captious Committee, that I might look over my Evidence, and if there was any Thing in it that, upon Recollection, I did not appear to have answered to my own Satisfaction, I might correct it. There was, as I understood afterwards (I did not know the Resolution at the Time) a Resolution not to permit a Witness to examine his Evidence after the First Day; I do not mean to say that this was not stated to me. It was a Resolution of the Committee of which I was uninformed; and as a Resolution of the Committee, I could not examine my Evidence afterwards upon the Business of Benares. I do not recollect any other Circumstance. I believe, if I have Permission to look at the Examination, it would be of Service certainly to me in answering the Questions that are put to me.

Q. Whether you recollect what you said respecting the Payment of the Allowances to Mehinnarrain?

A. I said, That the Rajah did not receive the Six Lacks of Rupees which were set down in the general Accounts of the Country as a Sum of Money that would leave a supposed Surplus that would remain in his Treasury after the Company had received their Tribute, and after the necessary Expences of the Collection were defrayed; and that is the Meaning of what I said. As to the very Words, I cannot recollect them.—I was asked by the Committee how I knew that the Rajah did not receive that Sum? My Answer was, I think, That the Rajah told me so himself; that I knew it both from the Naib and from the Rajah.—I think I was asked, if the Rajah ever complained of not receiving it? I believe I answered upon one Meaning of the Word “complained,” that he did complain; stating, that the Rajah’s Communication with me was not an official one: To me he could not officially complain. If he had meant to have made any official Complaint he would have made it to the Resident, the Duties of whose Office it was to hear the Rajah’s Complaints, and to communicate them to the Government if they required Redress.—The Question asked at your Lordships Bar, I believe, was, if the Rajah ever complained to the Officers of Government? To that Question, at the Bar of your Lordships, I answered, No: Because the Rajah stating to me that he did not receive that Sum, I did not conceive it to be of the Nature of a Complaint to an Officer of Government, because as such the Rajah could not complain to me.

I had

I had no official Power to hear his Complaint, or to redress his Complaint, or to communicate his Complaint.

Q. In what Character was you at Benares?

A. As Assistant to the Resident at Benares.

Q. Was it of Course, or did the Resident, or his Assistant Resident, transmit any Petitions, Remonstrances, or Complaints; or was there Communication of any Sort through them, or either of them, from any of the Inhabitants of that Country to the Governor?

A. It was the Business of the Resident to transmit all the Papers intended for the Government to the Government.

Q. What was the Business of the Assistant Resident?

A. The Assistant Resident was immediately under the Resident, to follow his Instructions; he had no Power independent of the Resident, and the Resident was the Channel of Communication with the Government.

Q. Do you mean the Assistant Resident never did communicate actually with the Government?

A. Only in the Absence of the Resident, or in Cases of his Indisposition, when he could not communicate the Papers; in such Cases the Assistant Resident was Locum tenens.

Q. But when the Resident was actually there, did the Assistant Resident communicate with the Resident himself?—Was it the Business of the Assistant Resident to communicate with the Resident when they were both upon the Spot?

A. I did in general.

Q. Did you communicate that Representation, whether Complaint or other, that was made by the Rajah?

A. I really cannot say whether I did or not; it was a Circumstance so well known that it did not require any Communication; the Resident knew it as perfectly well as I myself.

Q. By whom was you appointed to the Office of Assistant Resident?

A. By the Government of Bengal; by Mr. Hastings, the Governor General, and Mr. Welcher.

Q. To fix it more particularly, At what Time was the Appointment?

A. I believe about the Middle of January 1781.

Q. The Witness in his Cross Examination, upon being asked, Whether he had any Opportunity of seeing Doorgbijey Sing during the Time he was in Confinement, answered, that he never did see him at the Time of his Confinement. He was then asked, Where he was confined, and how he was treated: His Answer was, he was confined in a House situated in a Garden, at Benares, where the House was in the Centre, and surrounded by a high Wall; that he had Permission to walk about that Garden; and that the Guard placed to secure him was on the Outside of the Wall of the Garden; I wish to know, whether he meant to allude to the First or Second Confinement; or if there was any Difference in the Place or Manner of his Confinement at different Periods?

A. I believe there was at first a Guard placed for his Security on the Outside of the Garden Wall, and it was afterwards placed in the Inside; there was also, I think, a Guard placed at the Door of the House in the Inside of the Garden.

Q. Was it upon the First or Second Time of his Confinement that the Guard was placed within and at the Door of the House?

A. I believe, the Second Time. I believe at one Time, for a few Days, he was deprived of his Hooka, or the Privilege of Smoking; that was the only Circumstance of Severity as I recollect that was shewn to him.

Q. You said “he was confined in a House at Benares belonging to the Rajah, situated in a Garden, which I believe might be about Six Acres of Ground, the House was in the Centre, and surrounded by a high Wall; he had Permission to walk about that Garden, and the Guard placed to secure him was on the Outside of the Wall of the Garden”; and I want to know, whether the Answer you so gave was meant to describe the First Period of his Confinement, and not the Second?

A. To the best of my Recollection, the First: It was an immaterial Circumstance, as I thought it then; but I believe it was the First Time.

Q. Was there any other Difference in the Second Time of Confinement, except those you have mentioned?

A. None.

Q. Your Answer then went to describe the milder Confinement?

A. I do not recollect that; I think before the Committee of the House of Commons I mentioned all the Circumstances that I have now mentioned.

Q. In

Q. In the Answer you gave to this House, did you mean to speak of the First Confinement, and not of the Second?

A. Of the First only, with that Variation of the Guard being placed within Side of the Garden instead of the outer Wall, and that of the Guard being placed at the Door of the House; but he was not deprived of the Use of the Garden, and the Privilege of walking in it.

Q. The Question now put to you is, What you meant, as far as you can recollect, by the general Answer you gave, when last before the House, "that he was confined, and Guards placed without the Wall"; did you mean to confine yourself to the first Confinement, or to give that Answer throughout to both Times of his Confinement?

A. I did not make that Discrimination in my own Mind. The placing the Guards within Side the Wall, and at the Door of the House, or upon the Outside, was a Circumstance that did not particularly strike me; and unless my Memory had been refreshed by the Question asked by the Honourable Manager, I believe I should not have recollected it now.

Q. If you thought the Circumstance immaterial, whether the Guard was placed upon the Outside or the Inside of the Wall, how came you to mention that Circumstance at all?

A. I really cannot say why I mentioned the one in Preference to the other. I know of nothing further. There was no particular Hardship, as I thought, in the Guard being upon the Inside or on the Outside. I did not mean to conceal any Circumstance; I meant to mention all I knew.

Q. By whose Order was Doorbidjey Sing put into Confinement the First Time?

A. By Order of the Governor.

Q. Was the Governor there?

A. No—He was at Calcutta.

Q. Then it was an Order transmitted from the Government of Calcutta to the Resident of Benares?

A. Yes.

Q. By what Authority was the Second Confinement?

A. I am not clear in my Recollection, whether the Second Confinement was from the Government at large, or from the Governor General in consequence of Powers given to the Governor General from the Government at large: I don't immediately recollect it; but I am sure it was one of them.

Q. Were his Papers seized?

A. They were.

Q. By whose Orders?

A. I believe it formed a Part of the Regulation. When Doorbijey Sing was seized and dismissed from his Office, it formed a Part of the Regulation to seize his Papers, as the Documents of his Office.

Q. What do you mean by the Regulation?

A. I mean the Mode that the Resident at Benares thought the most efficacious to proceed in to secure the Company's Revenue. I do not recollect whether he had any positive Instructions from the Government for this or not particularly; whether the Instructions were particular or general: But I should imagine it may easily be known by Reference to the Proceedings, which are in England.

Q. You don't know whether it was by particular Directions, or whether it was the Manner in which the Resident executed a general Order?

A. I don't immediately recollect; but I think it was by Directions from the Government: My Recollection is not clear about that.

Q. The Proceedings, you say, are here in England?

A. The Proceedings are here in England, I believe: They will shew the Manner of the Resident's Proceedings; and it will appear from them, whether it was his own Regulations upon general Instructions, or upon particular Instructions.

Q. Was the visible Property of Doorbijey Sing, or any Part of it, sequestered?

A. It was intended, I believe, to sequester any Property of his that might be found; but upon Examination none could be found, except some very trifling Things of no Consequence.

Q. Was his Jaghire sequestered?

A. It was.

Q. When his Papers were seized, was an Account made out against him from those Papers, by which it appeared that he had received more than he accounted for?

A. I believe those Papers were examined by the Rajah's Agent; but I am not very clear in my Recollection of those Papers.

Q. Do you know any Thing of the Fact of seizing those Papers ?

A. Yes; the Treasury was seized, and the Accounts ~~in it~~.

Q. Was the Treasury a Public Office ?

A. Yes, the Public Office of the Zemindary, the Place of general Receipts and Disbursements.

Q. Are the Papers you are speaking of the Papers that were seized in that Treasury ?

A. Yes, the Account of Collections and Expences of the Zemindary.

Q. Do you or do you not recollect whether any Account was actually made out, or could be made out, from these Papers, by which it appeared he had received more than he had accounted for ?

A. I recollect it appeared, from examining those Papers, and the Receipts that were produced by some Farmers in the Country, that he had not entered all the Money he had received. I recollect the Circumstance of a Farmer producing an Acquittance that he had paid all his Rents for that Year; but I believe it did not appear, from those Accounts, that Doorbijey Sing had given him Credit for all that it appeared by the Receipt of Acquittal that he had paid. I do not recollect; I never saw any Account made out; but I generally understood that he had collected a good deal more than he had paid upon the Part of Government.

Q. My Question was not about what he understood in general to be the Fact, but whether he knew from those Papers that any Evidence of that Fact was collected ?

The Clerk was directed to read the last Answer given by the Witnesses.

The same was accordingly read.

Q. When the Witnesses says it did not appear from these Papers that there was entered an Account according to the Receipts, does he speak to Matter of Belief from his own Recollection of the Fact, or what he has heard from other Persons ? or did he see it and conclude it himself from those Papers that were seized in the Treasury ?

A. The Instance that I recollect of a Farmer's producing an Acquittal, was of a Farmer whose Name was Kullbelly Beg.

Q. Do you know from your Observation of the Books, that the Sum mentioned in that Acquittal was not brought to Account; or did you take that from the Report of others ?

A. I took it from the Report of a Person who did examine it.

Q. Did you yourself examine those Papers ?

A. No, I did not.

Q. At any Time ?

A. No.

Q. If you did not at any Time examine those Papers, by what Means do you know those Papers did not correspond with the former Receipts ?

A. I believe I have answered to that—that I was told so by a Person that did examine them, who told me of this particular Circumstance respecting Kullbelly Beg.

Q. Was not a Letter or Petition transmitted to you, or to your Office, by Mr. Hastings, he then being at Benares, making a Complaint of several Grievances upon the Part of the Rajah Mehinnarain and his Family ?

The House inquired of the Managers for the Commons, Whether they meant transmitted to the Resident, or to the Witnesses personally ?

The Managers for the Commons answered, that they meant, to his Office; and added, it might be necessary to inform the House, that Mr. Benn was Assistant Resident to Two different Residents, viz. Mr. Markham and Mr. Fowke.

Then the following Letter, dated 14th March 1784, was produced by the Managers for the Commons, and shewed to the Witnesses.

“ To Francis Fowke Esq.

“ Sir,

“ I herewith send you a Petition which I have received from Rajah Mehinnarain, with a Paper containing an Explanation of it. I request that you will inform me if the Facts are justly stated, or in what Particulars they differ from his Representation of them. I also understand that the Rajah's Name is totally disused in all Sunnuds, Aumilnamas, and other Officers Deeds and Papers of the Naib's Office, and the Naib's used in his stead. Be pleased to inform me, since what Time this Practice has prevailed, and whether by any Authority expressly given to the Naib. On the

preceding Points if you can furnish me with any Lights which may enable me to form a proper Judgment of them, I request to be informed thereof.

" I am, &c.

" Benares, 14th March 1784.

(Signed)

W. Hastings."

" Petition of Rajah Mehipnarain.

" When lifting me from the Dust of Obscurity, your Excellency exalted me to the Raaje of Benares, agreeable to the Usage of my Grandfather, Rajah Bulwand Sing, you confirmed to me the Jaghire and Altumgah Mahls, Half Buddock, and the Pergunnahs of Maaug and Mungrore; also Six Lacs and Thirty thousand Rupees odd, for my own Expences and Subundy.

" Baboo Durhbidjey Sing, my Naib, from his own Neglects, failing in the Revenues of the Sirkar, the Jaghire, &c. above mentioned, were sequestered till the Payment of the Balances, and a Perwannah sent me to make them good. Out of regard to the Orders of the Prefence, and hoping the Release of the Mahals, I paid the Demands of the Sirkar through Gopaul Dois; notwithstanding which, my Jaghire is still in Sequestration, and from the Day of my Exaltation to the Raja, I have not received a single Daam of the established Allowance for Support and Sebundy.

" Baboo Jaggudis Sing, contrary to good Policy and the Welfare of the People, makes Exactions from the whole Country, and does not pay even the fixed Revenue. There is neither Advantage to the Sirkar, nor Ease to the People.

" From my good Fortune, your Excellency has advanced to this Country. If a sure Settlement is not now made to my Advantage, I shall despair of its being done ever. From your compassionating Benevolence, I hope, that my Jaghire and Altumgah will be released to me, and Orders be given to the Chief of Benares to pay regularly to me the allotted Sum of Six Lacs and Thirty odd thousand Rupees for my own Expences and the Sebundy.

" Rajah Mehipnarain represents, that, since his Exaltation to the Raje, he has not enjoyed the smallest Part of that Consequence or Respect due to his Rank. Even the Town of Ramnagore allotted for his Residence, has been put under a Cutwal from another Authority.

" Half the Pergunnah of Buddock, producing a Revenue of One hundred and fifty-eight thousand three hundred and forty-one Rupees, was allotted him in Jaghire; the remaining Part he held from the Sirkar, at the Jemma of Seventy thousand five hundred Rupees.

" Mungrore, producing a Revenue of Fifty thousand Rupees, was granted in Altumgah to the Rannee Golaub Koor.

" Maitch, producing a Revenue of Sixty thousand Rupees, was granted in Jaghire to the Rajah's Father and Naib Baboo Durbedjey Sing.

" Baboo Durbedjey Sing, failing in his Payments to the Sirkar, the Whole of the abovementioned Grants were sequestered, and an Order sent from the Council to the Rajah to make good the Balances; but Mr. Markham, on the Rajah's Representation of his Case, released Half the Pergunnah of Buddock, and promised, when the Balances of the Sirkar should be paid, to release the others. The Rajah, seeing that his Father made no Efforts to pay the Demands of the Sirkar, satisfied them himself by the Assistance of the Banker Gopaul Dois. Mr. Markham assured him that his Promise should be kept, but he was recalled, and the Altumgah and Jaghire of Mungrore have not yet been restored. The Half of the Pergunnah of Buddock the Rajah at present possesses in Jaghire, and he now holds the Remainder of the Sirkar, with the Addition of Seventeen thousand Rupees to the former Jemma as before mentioned. He hopes that this Addition will be excused, and a Lease granted him at a fixed Jemma for the future; that the Altumgah of Mungrore will be released to the Rannee, and Maitch, the Jaghire of his Father, be allowed remain under him, till such Times as the Sums advanced on his Account for the Payments of the Sirkar shall be made good.

" Of the Six Lacs five hundred Rupees, allowed for the Muddud Kertch, the Rajah has not received One Daam since his being placed on the Raaje. He hopes that an Allowance will be made him on this Account from the Date of the Removal of his Father from the Neabut, and that he shall receive the Whole in future.

" The Rajah is in all Things obedient to the Sirkar, but he humbly hopes that the usual Ruffaam and Adaab of the Dignity of Rajah, may be allowed him, viz. that the Naib may receive a Khelaat from him, and the Aumils, on their Appointment, be ordered to pay him the customary Compliment of taking leave, and receiving from him the Beetle, &c."

A. I recollect seeing the Letter at Benares; but I do not know what was done in Consequence of it.

Q. Do you recollect having received it from Mr. Hastings?

A. I apprehend it would be sent to the Resident from Mr. Hastings; but I only recollect seeing it in the Office, and reading it there: It was not sent to me, but it was sent to the Resident.

Q. Whether you was not sent upon any, and what Commission, in consequence of Complaints made to Mr. Hastings of Oppression upon the Country of Benares by the Garrison stationed in the Country, or near it?

A. When

A. When Mr. Hastings was at Lucknow, I think he wrote a Letter to the Resident at Benares, stating some Complaints which had come to his Knowledge of the Mode in which One of the Garrisons was supplied with Provisions and Grain; I was sent by the Resident to enquire into this. From my own Inquiry it appeared to me that the Persons employed had not been quite so attentive as they ought to have been in taking the Grain; that it had been customary to send a Person who was employed generally to provide Provisions for the Garrison, and his Conduct appeared to me exceptionable. The Person who was sent was a Native; a Person whose Business it was to furnish the Bazars or Markets. I think, when I was at Gauzepore, I made an Application to the Officer to know what Quantity of Grain he would require for his Detachment, and I think I formed a Regulation with the principal Farmers there, that they should deliver this Grain in the Proportion, and at the Times the Commanding Officer said he would want it; that they would be under no Necessity of sending any Person or Persons into the Country to take the Grain themselves, but that it would be brought to them, and they would receive it, paying the Market-price for it.

Q. Whether any Person was punished for abusive Practices which you discovered?

A. Some of the Zemindars complained to me,—(it is a great Distance of Time, and I must rather recollect myself);—they complained that the Market-price was not paid for the Grain. At that Time the Grain was very high priced, and the Person who furnished Grain for the Markets wanted to have it at the Price of a former Time, when it was not so high; he wanted to have it at an under Rate.

Q. Do you mean to say they only wanted it, or that they actually took it?

A. In One or Two Places, I do not recollect the Number quite, they produced an Account which the Inhabitants said was the Sum they had received for a certain Quantity of Grain; upon comparing this Sum with what the Price of Grain at that Time was, it certainly was less than they ought to have paid; it was more than in a plentiful Season would have been paid for it; but it was less than the Price at the Time.

Q. Part of the Complaint was, that they were obliged to accept of that inferior Price?

A. Yes.

Q. Whether any Investigation was made of that Complaint?

A. I was sent to investigate it. I found it in Part true, as I have stated to your Lordships. I believe there is a Letter of mine addressed from Gauzepore, a particular Part of the District of Benares where the Inquiry was made, to my immediate Superior, the Resident at Benares. In that Letter I think I stated the whole Circumstances, and the Manner in which I had engaged with the different Farmers that Grain should be furnished to the Garrison. If I could see that Letter, I should be then better able to answer the Questions that were put to me upon it, as that was written at the Time.

Q. The Question put upon it was, Whether any further Proceedings were had against the Party complained of?

The Clerk was directed to read the Question put to the Witness, and his Answer.

The same were read by the Clerk, as follows:

Q. Do you mean to say they only wanted, or that they actually took it?

A. In One or Two Places, I don't recollect the Number quite, they produced an Account which the Inhabitants said was the Sum they had received for a certain Quantity of Grain; upon comparing this Sum with what the Price of Grain at that Time was, it certainly was less than they ought to have paid; it was more than in a plentiful Season would have been paid for it; but it was less than the Price at the Time.

Q. I desire to know of the Witness distinctly, whether the Grain was taken by Force or Menaces at that arbitrary Price, or not?

A. Those that produced the Account that I have mentioned, said the Grain was taken at the Price that they gave me.

Q. The Question, as put to you before, was, Whether the Grain was taken against their Will at that Price?

A. They complained of it; when I went afterwards to examine into the Truth of it, they complained, and told me that it was.

Q. By what Menaces or by what Force did they state the Grain was taken from them?

A. I do not clearly recollect.

Q. Whether you are of Opinion, from your Knowledge of the Country, and from the best Information you have received, that it is capable of producing and yielding to Government £400,000 a Year, without Detriment to the Country?

A. I thought £400,000 a Year to Government was certainly a large Revenue; I believe I have said so in my former Examination, and answered that Question; I am not quite clear, but I think so.

Q. Whether

Q. Whether that Sum of £400,000 could be annually raised upon that Country for the Government, without Detriment to the Country?

A. Not if any considerable Sum is allowed to the Rajah for his Support.

Q. The present Question that is put to you is, not what could be raised beyond the £400,000 for the Subsistence of the Rajah; but whether the £400,000 could be yielded without Detriment to the Country?

A. The Country, I think, would always yield Forty-five Lacks of Rupees, besides the Rajah's Jaghire.

Q. What is the Amount of the Rajah's Jaghire?

A. One Lack 58,000 Rupees, with Six Lacks for his Allowance.

Q. Whether you can recollect what your Observation was upon that Subject to the Committee of Managers?

A. I think my Observation must have been, that it would not continue to yield it, because I thought the Revenue was too great for Government to take, unless more Money was expended in the Country, which was altering the Situation of it.

Q. According to your best Information, what was the annual Cash Balance of Trade in Favour of the Country of Benares when you knew it?

A. That is rather a difficult Question to answer respecting a Country, particularly upon Oath.

Q. I wish the Witness to understand when he is asked to Matter of Information, for so many such he has answered from Opinion collected, his Answer is to be understood undoubtedly with proper and reasonable Limitations, whether upon Oath or not: What does he, upon his Oath, say, to the Best of his Judgment, he recollects that Balance to have been?

A. I certainly inquired at Benares, and I thought there was a Balance in Favour of Benares, from Seven to Eight or Nine Lacks of Rupees a Year.

Q. How many did you state it to be to the Committee?

A. I do not recollect.

Here the Managers for the Commons shewed the Witness a Paper.—Then the Witness said:

A. Before the Honourable Committee, I said, I thought it was Six Lacks of Rupees. I have now said, Perhaps Seven or Eight. It is a Fact that cannot be answered with a Degree of Certainty; it might vary.

Q. But you are sure it did not much exceed that last Sum?

A. I speak from my own Opinion of Course.

Q. What is your Idea of the Means and Manner of managing that Country? Whether the Country, in an ordinary Way, is sufficient to take Care of itself, or whether it does not require some particular Indulgence to manage it?

A. I certainly think it requires Attention.

Q. By Attention, you mean it would suffer very much by extracting a very large Revenue from it? Is it your Opinion the Country would suffer much by extracting a large Revenue from it?

A. I think it would. It is not a Country that has in itself a Number of natural Advantages; there are no great Exports. When I saw it I thought it a very flourishing Country; and I concluded, as it had not the Advantage of many Exports, as a Country it had been much attended to; and of course I concluded, the same Attention being continued to it, it would continue to be the same Country as it was.

Q. Whether Opium is not an Article of Export from that Country?

A. It is from the Provinces.

Q. Is there a Free Trade in that Article?

A. When I was at Benares it was pretty much in the Hands of the Resident, and I believe it was considered as an Advantage that he enjoyed there.

Q. Was it not monopolised by the Resident?

A. I believe nearly the whole Trade of Exportation was in the Resident's Hands.

Q. Do you mean it was in the Resident's Hands in the Course of Trade, or by a public Institution put into his Hands as a Monopoly?

A. Not by any public Institution; it was done before I was at Benares, I believe in the Time of the First Resident.

Q. What was the Sort of Monopoly—Did he compel the Producers of Opium to sell all to him?

A. No; I believe not; I never knew of any Circumstance of Compulsion; I never heard of any.

Q. What

Q. What do you mean by Monopoly?

A. The ingrossing any particular Article; having the sole ~~selling~~ or disposing of any particular Article.

Q. Was that the Situation in which the Resident was in that Place? could any Body else buy, sell, or export Opium, or deal in it by an open Courte of Trade, except the Resident?

A. There was no Prohibition, but it was chiefly in the Hands of the Resident.

Q. If there was no Prohibition, the Consequence would be, all Manner of Merchants would deal in it, would not they?

A. So I suppose.

Q. What Means had the Resident to get that Privilege into his Hands, which other Merchants had not?

A. It was done long before I went to Benares.—When I was there it was in a regular Channel: Whether it was forced into that Channel or not I cannot say.

Q. Do you know the Manner in which the Resident did exercise that Trade?

A. His Agent bought the Opium, and he contracted for it at a certain Price.

Q. Contracted, with whom?

A. With a Native of India.

Q. That is, contracted to buy it at a certain Price?

A. Yes, from a Native of India. This Native, I believe, had nearly the sole Produce of the District of Benares.

Q. Who was that Native? What was his Name?

A. Sunker Pundit.

Q. Suppose he had sold any Part of his Opium to any other Person besides the Resident, was he at Liberty to do so?

A. No, I believe not; by his Engagement he was not at Liberty.

Q. Might he have contracted with any other Person, if he pleased, before he entered into that Agreement?

A. I think not.

Q. (*from a Lord.*) The Evidence has told your Lordships, that the Export for Opium was chiefly in the Hands of the Resident; I wish to ask him, if he knows of any Instance of any being exported that was not in the Hands of the Resident?

A. No: I do not.

Q. Then what do you mean by the Word “chiefly?”

A. I did not know but others might. I did not positively know that they did or did not.

Q. Did you, or did you not, know, that it was an understood Monopoly?

A. It was an understood Monopoly.

Q. Whether the Trade of Saltpetre is not an Article of Exportation from that Province?

A. It is.

Q. Was that Trade open?

A. There is something rather particular in the Article of Saltpetre, which perhaps will not quite clearly appear by a direct Answer. If your Lordships will give me leave, I will explain how it is. The Article of Saltpetre in India, I believe, is always considered something in the same Manner as a Royalty is in England; it is separate from the Soil: One Man cultivates the Soil, and another Man has the Produce of the Saltpetre; they are separate Property: They are generally in the Hands of the Rajah of a great Zemindary, in the same Manner as a Royalty may be in the Hands of a Lord in England: This, I believe, the Rajah of Benares gave to the Resident: It is in Value about 7,000 Rupees a Year, or £700: He had the Produce of the Saltpetre in that way: There is more produced than is consumed in Benares, of course it is exported.

Q. Was it a Monopoly or an open Trade?

A. The whole Produce, in the Manner in which I have stated it, was in the Hands of the Resident. It was given by the Rajah to the Resident.

Q. When?

A. I believe at the same Time that the Opium was, but I do not clearly recollect; it was before I was there.

Q. What Time was you there first?

A. In 1782.

Q. Was it generally known that the Resident had these Profits?

A. I do not know that it was.

Q. Were any great Pains taken to conceal it?

A. No, no Pains were taken to ~~conceal~~ it; it was a Matter of Indifference to the Resident, I imagine, whether it was known or not.

Q. Whether it is not generally known to Persons concerned in the Trade at Calcutta, that it was monopolized for the Benefit of the Resident?

A. I believe it was understood amongst the Dealers in Opium that there was a Quantity of Opium sent from Benares, and that it was for the Benefit of the Resident.

Q. Was it generally known the Opium produced in the Province of Benares was to be exported through the Channel of the Resident, or monopolized by the Resident?

A. By the Dealers in that Article I believe it was; but I believe it was not generally known.

Q. Did they know the Sale of Opium at Benares was upon account of the Resident?

A. It was in general sent to the Agent at Calcutta, and sold there.—What I meant by “generally known” was, that those who dealt in that Article would of course know it; but I believe it was not generally known by the Servants of the East India Company, by the Governor, or others in India, not to my Knowledge; I believe it was not.

Q. Have you mentioned the Extent of the Value of the Opium Contract, or do you know how much it produced annually to him?

A. I believe from 40,000 to 50,000 Rupees a Year.

Q. How many Chests of Opium were annually exported?

A. Upon an Average about 450, I believe: I recollect seeing One Account of 425, another of 475, the Produce of Two different Years—I think, to the best of my Recollection, nearly that.

Q. (*from a Lord.*) He has said this Grant was made to the Resident by the Rajah; does he know whether any Consideration was paid by the Resident for such Grant?

A. I do not know.

Q. Whether you understood, or believe, there was any such Consideration?

A. No; I do not believe there was any Consideration paid for it.

Q. Whether this was a particular Grant to this particular Resident; or whether it had always been attached to the Office of Resident?

A. I believe it had always been attached to the Office; I was under Two Residents there, and both had it: I understood the former Resident had it by virtue of his Office.

The House inquired of the Counsel if they had any Question to ask the Witness upon this Examination?

Q. (*by Counsel.*)—I wish the Witness to be asked, Whether, when he says it had always been understood as attached to the Office of Resident, he means from the First Institution of the Office of Resident at Benares?

A. I mean after the regular Appointment of a Resident. Mr. Fowke, I believe, was the First Person that was sent to Benares, but not as Resident. I mean after his First Recall.

Q. What are the particular Sources of Opulence of Benares?

A. One of the great Sources of its Opulence is its Situation in point of Religion, the Number of Pilgrims that visit it from different Parts of India as a Place of particular Sanctity; great Crouds generally come there every Year, and they make rather a Point of expending at the different Temples great Sums of Money; that is one Source: It also shares pretty much in the Trade of Diamonds passing through Benares to Calcutta: It exports some Cloth and Opium, and Saltpetre.

Q. Whether the Circumstances you have enumerated, of the Change of the Place of the Guard, and the Prohibition of the Use of the Hooka for Two or Three Days, were the only Restraints of Doorbijey Sing, which you recollect, during his Confinement?

A. They were the only Restraints I recollect, and I believe they were the only Restraints he ever was put under.

Q. Whether the Guard placed at the Door of the House in any Manner prevented Doorbijey Sing from the free Use of the Garden whenever he had Occasion to use it?

A. No. I have given that in Evidence before.

Q. Whether the Paper that has been inquired about respecting the Accounts of Doorbijey Sing's Office was not laid before Ally Ibrahim Cawn, the Arbitrator appointed between him and the Company?

A. I believe the Accounts were laid before him to enable him to determine Part of his Arbitration, a Circumstance I did not recollect at the Time; but they were necessary for his Examination to see what Sums of Money were paid.

Q. The Witness has already told us that Ally Ibrahim Cawn made an Award in Favour of the Company of One Lack 50,000 Rupees, upon his former Examination?

A. I do not mean to be quite particular as to the Amount of Rupees, the exact Sum I do not recollect. I gave what I thought the Amount from Recollection.

Q. Do you know whether that Sum was ever received in full by the Company?

A. That Sum never was received in full by them, unless it has been received since I left Benares.

Q. I am asking as to the Amount of the Money received upon that Arbitration? Do you know whether the Sum of One Lack 50,000 Rupees which was awarded, was received by the Company at any Time before the Death of Doorbidgjei Sing, or not?

A. No. Before the Death of Doorbidgjei Sing the Money certainly was not paid; I cannot answer since. I have been in England some Time. It may have been paid since I left Benares, but it was not paid before.

Q. Do you know whether 400,000 Rupees, or Forty Lacks a Year, as settled by Mr. Hastings, have been constantly received or required by the succeeding Government of that Country?

A. Till I left India it was.—Sir John Macpherson at that Time was Governor, and the same Regulation respecting Benares continued after Mr. Hastings left it.

Q. You do not know whether it was in Fact received?

A. No, I do not: The Revenue was liquidated for One Year, and for Part of another; I cannot tell how much, as I left Benares before the Conclusion of the Year, and whether the Whole was received for that Year I cannot tell.

Q. Was the Whole received for a Year before you left Calcutta?

A. In the Year of Jagger Deo Sing it was received: There was a disputed Account, I believe, of a Sum claimed by him, and I cannot tell whether it was allowed or not.

Q. (from a Lord.) Whether the Property of Doorbidgjei Sing was sequestered when he was imprisoned?

A. An Attempt was made to sequester any Property that might be found; but I believe his Property in Money he had removed.

Q. Do you know whether there was any Grant in Writing from the Rajah to the Resident, of Salt Petre?

A. No, there was not. I believe there was not; I never heard there was.

Q. Whether there was, or was not, any great or extraordinary Failures in the Crops of the Country at the Time Doorbidgjei Sing was Naib?

A. Not at the Time Doorbidgjei Sing was Naib.—I do not recollect it.

Q. Was there any at any short Period before?

A. Not before Doorbidgjei Sing.

Q. The Witness has said in his former Examination, that the Arrears of Rent due from Doorbidgjei Sing to the Company, was, by mutual Consent, submitted to Arbitration, to Ally Ibrahim Cawn; I wish him to explain, whether he meant by the Word "due," due to the Company, as having been actually received by him?

A. If you will give me leave, I will state the Nature of his Office; he was the Naib and a Manager for his Principal, the Rajah; he was supposed to be the Receiver and Manager for him: The Engagement for the East India Company was with the Rajah for an annual Tribute, upon which he took the Country; and whether he received more or less, his Engagement remained as an annual Stipend. It was for a Deficiency in the Sum that he had engaged to pay that he was put into Confinement.

Q. (from a Lord.) The Witness has said, that during Part of the Time Mr. Fowke was at Benares he was not there in Quality of Resident; I would wish to know in what Quality he understood Mr. Fowke to be then?

A. The First Time Mr. Fowke was sent to invest Rajah Cheit Sing with the Rajahship, and to seat him in his Zemindary, it was considered, I believe, as a temporary kind of Mission; afterwards a fixed Resident was appointed. One of the Civil Servants of the East India Company was appointed to reside there: That was the Distinction.

Q. (from a Lord.) The Witness has mentioned some Restriction laid upon Doorbidgjei Sing at the Time he was confined; amongst others, a Prohibition from Smoking a few Days: Was there any Reason assigned for any such Restriction, or for such Prohibition?

A. I believe the Reason was, that if some little Instance of Severity was shewn towards him, it was thought if he had the Money he would pay it; but it had not the Effect, and there was no other Species of Restriction put upon him.

Q. (from a Lord.) I think the Witness said the Jaghire of Doorbidgjei Sing was seized upon; I wish to know by whom that Jaghire was originally granted to Doorbidgjei Sing?

A. The

A. The Jaghire granted to Doorgbijey Sing makes a Part of the general Regulations made by Mr. Hastings, as appears by his Narrative, and it was given to him as Naib—I understood it to be so.

Q. What was the Amount of that Jaghire?

A. Sixty thousand Rupees a Year—Six thousand Pounds English Money.

Q. The Witness said that the Property, as far as it could be come at, of Doorgbijey Sing was seized upon; I wish therefore to know how Doorgbijey Sing was maintained, and how he was attended when he was in Prison?

A. He was attended by his own Servants, and maintained by his own Property, I imagine; for there was no Allowance made to him, and it was our Opinion that he was very equal to maintaining himself.

Q. What might the Number of those Servants be, does the Evidence recollect?

A. No, I do not; he parted with no Servants, none of his domestic Servants, in his Confinement; and those in India are generally a great Number. I do not recollect exactly, nor do I know of any he had in general; all of any Consequence were with him.

Q. The Witness has said in another Part, speaking of Complaints relative to the Grain, that he was sent to enquire into them: What Enquiries did he make, and how were those Enquiries substantiated?—Whether there was any Examination made by him as to the Complaints?

A. I was sent there to make those Enquiries; I went to the very Place where these Circumstances were said to have happened; I found them in the Manner in which I have described them in my Evidence.

Q. The Question proposed is, whether those Complaints made by the Persons aggrieved were substantiated by any other Persons than those who complained?

A. Yes, it seemed to be the general Opinion there; I enquired of many, and they all agreed in the same Story.

Q. As similar Questions have been asked before, whether the Evidence, from his Residence upon the Spot, does not think the Trade of Benares might be improved, and new Channels of Trade opened?

A. I don't know that it is more likely in Benares than any other Country.

Q. Are there any particular Modes which your Residence in the Country has furnished you with an Opportunity of observing?

A. One was, to improve the Cultivation of Sugar: At present, Calcutta and a great Part of India is supplied from China; and the Cultivation of Sugar might be so far improved, as to render that Trade from China unnecessary.

Q. Whether you know of any Circumstance of Cruelty attending the Confinement of Doorgbijey Sing, besides those which are already mentioned?

A. None.

Q. In what Year did you go to Benares first?

A. In April 1782: March or April, I am not certain which; I am not quite clear in the Month.

Q. Did you then find the Country in a flourishing Situation?

A. Very much so.

Q. When did you leave Benares, and in what Situation was it then?

A. I left it in 1786, and it was then, in Appearance, in as flourishing a Situation as when I went there in 1782.

Q. (from a Lord.) Is there any Salary belonging to the Appointment of Assistant Resident at Benares?

A. Yes, there is.

Q. The Witness has said he was appointed in January 1781, and went to reside at Benares in April 1782; I wish to know whether he received such Salary from January 1781 to April 1782?

A. The Salary was 300 Rupees a Month. I was absent by Permission. I lived with Mr. Wheeler as his Secretary, or pretty much in that Line; he was at that Time in Possession of the Government; great Part of the Time Mr. Hastings was absent in the Country, and I staid with him till Mr. Hastings's Return. I received my Salary as Assistant Resident at Benares from the Time of my Appointment. I had no other Salary.

Q. Was there any Body appointed to do your Duty during your Absence, or was it done in the Office by the Resident?

A. My Duty during the Time was done by Mr. Markham the Resident; there was no other Person appointed.

Q. Whether

Q. Whether an Arrest is not a Circumstance in that Country considered as a Disgrace upon the Person arrested?

A. It is—I believe it is so in most Countries.

Q. Is it not more so in that Country by People of that Religion particularly; and more so than it would be in this Country?

A. It does not mix with their Religion at all; but it is considered by higher Classes as a Disgrace.

Q. Is this Rajah or Naib looked upon as a Person of a higher Class?

A. Yes.

Q. I lay a Stress upon the Words “particular Disgrace?”

A. It is disgraceful, but not particularly so; it is a Circumstance of Disgrace, but not a very particular Disgrace.

Q. The Witness was asked whether he had transmitted an Account of the Complaints to Mr. Hastings as Assistant Resident, or whether an Account had been sent to Mr. Hastings of the Complaints of the Tribute not being paid by Mehinnarain? He answered, there were some Complaints; but he did not recollect whether he himself had made any. I want to know from the Evidence, whether he knows, or not, that such a Communication was transmitted to Mr. Hastings officially, or any how else?

A. I do not know it was. Mr. Hastings was at Benares afterwards, and the Rajah perhaps might state it himself. I do not know that he did or did not. I did not communicate it to the Governor, nor do I know that the Resident did.

Q. Have you Reason to believe, from any subsequent Circumstance, that Mr. Hastings was informed of it?

A. I think, when Mr. Hastings was at Benares, that the Rajah might inform him; but I cannot tell whether he did or not.

Q. Did you know from Mr. Hastings, or by any other Means, whether Mr. Hastings was informed of it or not?

A. I did not. When Mr. Hastings was at Benares, I recollect the Rajah's sending to him a Paper containing some Requests: One of those Requests was, that he should receive the Surplus of the Collection, whatever that might be, not mentioning any specific Sum, or stating that he had not received it before. This Paper was entered in the Resident's Office, and there I saw it. The Answer to it was, “Certainly it is the Rajah's Right;” but no express Sum was mentioned, only, generally, that the whole Surplus should be his.

Q. You say you do not know any particular Sum in which the Naib was deficient; I wish to know your Idea as to what it might amount to.—What is your general Idea of what might be the Amount?

A. The whole Sum that he was deficient in, Doorbidgy Sing I mean, was, I think, 2 Lacks 90,000 Rupees: There was a disputed Account: He claimed certain Sums which the Government did not think were reasonable or just to allow. An Arbitration was submitted to Ally Ibrahim Cawn; and what he did not dispute was One Lack 50,000 Rupees, or near it. There was an additional Sum he did dispute, in his own Account; and this additional Sum, I believe, made the Aggregate about 2 Lacks 90,000 Rupees.

Q. I understand the Witness has said, that Mehinnarain did not receive his stipulated Allowance; and that he has been asked in another Place, whether that was owing to the distressed State of the Country—I wish to know whether he did not answer, that Mehinnarain did not receive the Money that was allowed him, because the Receipt of the Country would not allow it, being estimated at 45 Lacks, whereas the Country would not produce above 45 Lacks, unless good Care is taken of the Country: That the State of the Country depends upon being well nursed and made by Care: I wish to know of the Evidence whether he did not give that Answer?

A. Before the Committee of the House of Commons?

Q. Yes.

A. I believe I did: I think I recollect I did.

Then the Witness was directed to withdraw.

Then the Managers for the Commons acquainted the House, that before they proceeded to call another Witness, they should produce some written Evidence, from the Records of the East India Company; and first, a Letter from Shitabroy to Mr. Hastings, for the Purpose of shewing the whole Contents of that Letter, a Part only of which was inserted in the Defence; but they conceived it material for the Whole to be produced.

Then Mr. Robert Hudson was again called in, and produced Book 70, intituled, "Bengal Country Correspondence, Received from 7 Dec. 1763 to 29 Jan. 1765."

Read, the following Extract.

" N^o 284.

" Translation of a Paper delivered by Raja Shitabroy the 16th Nov. 1764.

* Sic in Orig. " Raja Bulwand Sing * as written to me as follows: ' If it is the Intention of the English Gentlemen to take Possession of Shuja-ul-Doula's Dominions, I will agree to hold Benaris and Gazypoor, &c. which have long been under my Jurisdiction, the Revenues of which amounted to about 24 Lacks of Rupees a Year, and I paid 1,70,000 Rupees Monthly, on the same Terms from the Company as I did from Shuja-ul-Doula.' He likewise desires, that in case the English Army should march forwards to conquer the Country, the Districts of Auzimgurra and Coondar, &c. which are near to Benaris, and lie very convenient for him, may be added to his Jurisdiction.

† Sic in Orig. As the Raja is a Man who adhere † to his Engagements, and pays his Rents regularly, if it is your Pleasure to take the Country, let the Management of the aforesaid Territories be committed to his Charge; and in case of an Accommodation with Shuja-ul-Dowla, yet let a favourable Answer be written to the Raja to set his Mind at Ease; he is a Person of high Rank, and the Zemindar of a frontier Country."

The Managers for the Commons acquainted the House, they should next produce a Letter to shew that Fifty-one Days Grace was allowed to the Rajah Cheyt Sing for every Monthly Payment, and also to shew the Manner in which the Tribute was settled in 1776.

The Witnefs produced Book 40, intituled, "Bengal Letters, received from the 20th of March 1776 to 6th January 1777."

Read, the following Extract.

Bengal
Letters,
Secret Depart-
ment.

" General Letter from the Board at Calcutta to the Directors; dated Fort William, 20th March 1776.

Par. 37. " Raja Cheit Sing has now agreed to pay the Amount of his Tribute, being Sicca Rupees 22,66,180, into the Treasury at Calcutta, by equal Monthly Kists or Instalments, and is to receive 2 per Cent. Premium on the Amount, for the Charge of Remittance. We have allowed Fifty-one Days Grace for every Monthly Payment to be made after the Period on which it actually becomes due, in order to enable him to procure Bills, or to remit Assets, to answer the Payment within that Term. And to secure his being exact in the punctual Discharge of his Monthly Kists, we have agreed to impose a Penalty, in case of Failure, of $\frac{1}{4}$ per Cent. per Diem on the Amount of all deficient Payments after the Expiration of the Term of Fifty-one Days. A Sunnud for his Zemindarry shall be furnished him on these and the Conditions before agreed on.

(Signed) Warren Hastings,
J. Clavering,
Geo. Monson,
R. Barwell."

Which being read, the Managers for the Commons acquainted the House, they should next produce Evidence relative to the Payments of Doorgbijey Sing, in order to fill up the Chasm, which subsisted at present, in that Head of Evidence.

The Witnefs produced Book 66, intituled, "Bengal Secret Council, from 25th November to 31st December 1783."

Read, Extracts of a Consultation of the 27th December 1783, beginning at Page 66; of the said Book.

" Fort William, the 27th December 1783.

Secret
Department:
Saturday.

" At a Council; Present,
" The Honourable Warren Hastings Esq. Governor General, President;
Edward Wheler,
John Macpherson, and } Esquires.
John Stables,

✍ " Honourable Sir, and Sirs,
" I have the Pleasure to inform your Honourable Board, that I have received from Babboo Durbetzey Sing the Sum of Banares Sicca Rupees Three Lack Forty-eight thousand nine hundred and seventy-three, Ten Annas, Seven Pie, being the Amount Balance of his Bhadun Kist for the Fufillee Year 1189, unless your Honourable Board should disallow any Part of the Deductions which

which he demanded, an Account of which I transmitted to you in my Letter dated the 16th February 1783. I have taken a Mochulka from him, expressed in the strongest Terms, that whatever Part of the Deductions demanded by him shall be judged inequitable, and consequently disallowed, he shall without Delay make good, and pay into the Banares Treasury; and that whatever Sum of Money he shall be proved to have received from the Collections of the Fufillee Year 1190, shall be likewise paid without Hesitation to the present Naib Baboo Jaggudeo Sing: In Consequence of his Payment of the above Sum, and the Engagement entered into by him, I have taken off the Two Companies of Sepoys stationed as his Guard, until the further Pleasure of your Honourable Board shall be made known.

I have the Honour to enclose you Bills of Exchange for the Sum of Benares Sicca Rupees, Three Lack Forty-eight thousand nine hundred and seventy-three, Ten Annas, Seven Pies; or Calcutta Sicca Rupees Three Lack, Twenty-eight thousand eight hundred and seventy-five, Thirteen Annas, Three Pies.”]

Read also, from the same Consultation,

✂ [“ The following Letters from the late and present Resident at Benares having been for a long Time before the Board, they were considered by the different Members, and the following Resolutions passed on them.

“ To the Honourable Warren Hastings Esquire, Governor General, &c. Supreme Council,
“ Fort William.

“ Honourable Sir and Sirs,

“ I have the Honour to enclose to you an Account of the Deductions demanded by Baboo Durbeetzy Sing for the Fufillee Year 1189.] I should not have deferred sending it so long, but that I was prevented by Durbeetzy Sing not being able to give an exact Account of the Demand for the Duties on the Saltpetre from the Nabob the Vizier's Dominions.

“ For the First Eight Articles, the Honourable Governor General, when at Banaras, agreed to allow him the medium Rate of the Five preceeding Years, viz.

“ The Mint, Adaulut, and Phoudarry Cutwallie, Nuckhafs Delolly Perdailie, Tellashie, Khimar Khannah, and the Dustoor Angustarry.

“ Your Honourable Board directed, that the Mint should be put under the Direction of the Resident; his Demand upon it is not exorbitant, though, according to the Papers I have been able to collect respecting it, the exact medium Rate is 13,410.

“ With respect to the Adaulet and Phoudarry, the Amount of Loss by not being continued in the Rajah's Hands, cannot be definitively ascertained, as both Offices were conducted during Chyet Sing's, and even Bulwant Sing's Time, in a Manner by no Means conformable to Justice. The Courts were sometimes held at Ramnaghur, the Place of Residence of the Rajah; sometimes at Banares. By the Enquiries I have made, I do not conceive that the clear Income arising from these Two Articles would be more than 10,000 or 12,000 Rupees.

“ The Cutwallie was in the Hands of a Man whom I believe to have been since dead, as I can get no Account of him. I believe the Amount to be just.

“ The Nuckhafs is a Duty on all Horses, Oxen, &c. sold in the Bazar—the Amount set down is just; but Durbeetzy Sing collected on this Article 235 Rupees, so that he is only entitled to 965 Rupees.

“ The Delolly Perdailie was a Tax collected on all Travellers, People coming from the Decan to Banares on Religious Purposes, &c. &c. which the Governor General forbade to be collected, as great Impositions were made on the People thus coming to Banares, and is, I believe, fully just.

“ Tellashie was a Duty collected on every Boat that passed Banares, independant of the regular Duties. I believe its Amount never exceeded more than Two thousand Rupees.

“ The Khimar Khanna was a Duty collected on all Gaming Houses, and is, I believe, a just Demand.

“ The Dustoor Angustarry did not amount to above Ten or Twelve Rupees—was a Duty collected on small Iron and Pewter Rings, which the People who wash at the Banares Ghauts are obliged to wear.

“ The Demand of Deductions for Govind Jeit, Idoll Sing, and Buckhut Sing's Malkhanna, are undoubtedly just.

“ A Village granted by the Honourable Governor General's Perwannah to Mustee Khurreim Aulah is likewise just, as the Governor General confirmed the Sunnud given to his Family by Aurungzebee.

“ Land confirmed to Jubrage Sing stands in the same Predicament, and is likewise just.

“ The Land established by the Governor General to the Chunar Faukhier—the Amount just.

“ The Duty on the Stones, granted by the Governor General to the Commanding Officer at Chunar, was given for the following Reasons:

“ To prevent Disputes, which often happened between the Rajah and the Commanding Officer, and as the Stones were cut close to the Fort, and within the Limits of his Command, the Governor General judged any Perquisite arising from them to appertain more properly to him than to the Rajah;

Rajah; as this Point was not settled before the Signature of the Pottah and Caboulas, the Rajah demands a Deduction.

" The 4,000 Cubits, mentioned at 4347 Rupees, is the Land which the Governor General directed to be measured out, and given to the Commanding Officer, as being within Gun Shot of his Fort. The Honourable Governor General will be able to explain the foregoing Articles.

" Your Honourable Board directed me, in a Letter of July 1781, to pass the Saltpetre which came from the Nabob Vizier's Country free of Duties. His Demand on this Account is about 2000 Rupees less than it ought to be. The Loss which accrued on the Establishment of the Permit through the Zemindary we have rated very high, and is the most exceptionable Part of his Demand.—A Loss, a heavy Loss, was certainly occasioned partly from Goods being sent a different Route by the Merchant, partly from the Deductions of the Schair, which he was obliged to allow to his Aumils, and from the Collections of the Permit not being equal to that Deduction.

" The Paymolly he originally set down at 10,000 Rupees, He afterwards attempted to impose another 10,000 Rupees on the Account. This I refused to admit of.

" The unavoidable Damage which a Detachment so large as Colonel Cummings's must occasion in marching through a Country like this, at a Time when the Grain was ripe, and his Encampment at Chousah during Part of the Rainy Season, will be sufficient Guide for your Honourable Board's Decision in this Article.

" I have the Honour to be, &c.

" Banares,

(Signed)

W^m Markham,
Resident."

" the 17th February 1783.

☞ [" Deductions demanded by Baboo Durbeetzy Sing.

" Mint	—	—	—	—	16,465	5	—	
• Sic in Orig. Adawlut and * Choufdarry	—	—	—	—	25,000	—	—	
Kutwallie	—	—	—	—	12,000	—	—	
Nuckhafs	—	—	—	—	1,200	—	—	
Delolly Perdaissie	—	—	—	—	1,740	—	—	
Tellafhy	—	—	—	—	6,000	—	—	
Khemah Khanna	—	—	—	—	880	—	—	
Dustoor Augusterry	—	—	—	—	108	—	—	
Govind Jeet's Malkannah	—	—	—	—	37,500	—	—	
Idol Sing, D°	—	—	—	—	8,000	—	—	
Boggut Sing D°	—	—	—	—	11,000	—	—	
A Village granted by the Honourable Governor General's Per-	wannah to Musfee Khurreim Oulah, confirming a Grant of } Aurangzebee				1,822	13	1	
Land D° to Jubraje Sing, confirming a Grant of D°					1,000	—	—	
Land D° to the Chunar Tuckheir, confirming a Grant of D°	—	—	—	—	500	—	—	
Half the Mehal Duties on Stones from Chunar	—	—	—	—	11,028	8	—	not allowed
Two thousand Cubits round the Fort of Chunar	—	—	—	—	4,347	—	—	not allowed
Duties for Saltpetre from the Nabob Vizier's Dominions	—	—	—	—	16,512	3	3	
Loss on the Duties	—	—	—	—	91,778	5	3	not allowed
Paymolly	—	—	—	—	10,477	8	3	
Amount Sicca Rupees					2,57,359	6	3	

Read also, from same Consultation,

☞ [" Par. 684. Agreed, that the Claims made by Baboo Durbeetzy Sing, on the following Accounts, be admitted at the Rates given them respectively by the late Resident.

Mint.

Adawlut or Fouzdary.

Kutwallie.

Neharifa.

Ellaufhy.

Khimah Khannah.

Dustoor Augusting.

Govind Jeet's Malkanna.

Idol Sing's Ditto.

Boggut Sing's Ditto.

Duties for Saltpetre from the Nabob Vizier's Dominions.

" Agreed also, That the late Resident be applied to by the Secretary; and if it shall appear that the Claims of Deductions made on Account of a Village granted by the Governor General's Perwanna to Musfi Kurum Oola and Inbrage Sing, in Confirmation of Grants from Aurangzebe, are founded on any Acts done by the Governor General's Authority, it is agreed to admit them.

The

" The following are **Lifts** of the Deductions claimed by Durbeetzy Sing.

" Account of Deductions from the Malguzaree of Benares claimed by Baboo Durbeetzy Sing, for the Fuffilee Year 1189.

" A R T I C L E S.							Deduction claimed.		
Mint	—	—	—	—	—	—	16,465	0	5
Adaulut and Phoufdary	—	—	—	—	—	—	25,000	0	0
Kutwallie	—	—	—	—	—	—	12,000	0	0
Nuckhafs	—	—	—	—	—	—	1,200	0	0
Delolly Perdaffie	—	—	—	—	—	—	1,740	0	0
Tellafhy	—	—	—	—	—	—	6,000	0	0
Khimah Khanna	—	—	—	—	—	—	880	0	0
Dustoor Angusterry	—	—	—	—	—	—	108	0	0
Govind Jeits Malkanna	—	—	—	—	—	—	37,500	0	0
Idol Sing D°	—	—	—	—	—	—	8,000	0	0
Boggut Sing D°	—	—	—	—	—	—	11,000	0	0
A Village granted by the Honourable Governor General's Perwannah to } Muftce Khurreim Owlal, confirming a Grant of Aurungzebe							1,822	13	1
Land Ditto to Jubrage Sing, confirming a Grant of Ditto	—	—	—	—	—	—	1,000	0	0
Land Ditto to the Chunar Faukheir, confirming a Grant of Ditto	—	—	—	—	—	—	500	0	0
Half the Mehal Duties on Stores from Chunar	—	—	—	—	—	—	11,028	8	0
Four thousand Cubits round the Fort of Chunar	—	—	—	—	—	—	4,347	0	0
Duties for Saltpetre from the Nabob Vizier's Dominions	—	—	—	—	—	—	16,512	3	3
Loss on the Duties	—	—	—	—	—	—	91,778	5	3
Paymolly	—	—	—	—	—	—	10,477	8	3
Amount Sicca Rupees							2,57,359	6	3

Fort William, 27th December 1783.

ACCOUNT."

" A R T I C L E S.							Amount allowed.		
Mint	—	—	—	—	—	—	13,410	0	0
Adaulut and Phoufdary	—	—	—	—	—	—	10,000	0	0
Kutwallie	—	—	—	—	—	—	12,000	0	0
Nuckhafs, 1200. 235 being collected there remains	—	—	—	—	—	—	965	0	0
Tellafhy	—	—	—	—	—	—	2,000	0	0
Khimah Khanna	—	—	—	—	—	—	880	0	0
Dustoor Angusterry	—	—	—	—	—	—	10	0	0
Govind Jeits Malkanna	—	—	—	—	—	—	37,500	0	0
Idol Sing, D°.	—	—	—	—	—	—	8,000	0	0
Boggul Sing, D°.	—	—	—	—	—	—	11,000	0	0
Duties for Saltpetre from the Nabob Viziers Dominions	—	—	—	—	—	—	16,512	3	3
							1,12,277	3	3"

" Fort William, 27th December 1783.

" The Secretary lays before the Board the following Letter from Mr. Markham.

" Sir,

" The Honourable the Governor General confirmed the Grants of Aurengzebe to Mufti Kerim Oolla and Subraad Sing, to the best of my Recollection, by signing his Name on the original Sunds. I have not Copies of them, but the present Resident can easily procure them.

I am, &c.

" Dec. 26th 1783.

(Signed) Wm. Markham."

" Agreed, That the following Letter be written to the Resident at Benares.

" To Mr. Francis Fowke, Resident at Benares.

" Sir,

" We have lately taken into Consideration a Letter from our late Resident at Benares, dated the 17th February, enclosing an Account of the Deduction demanded by Baboo Durbeetzy Sing, for the * Fussulie Year 1189; and we have also had before us sundry other Letters from Benares bearing the following Dates; 9th April; 14th May; 5th and 9th June; 28th July; 12th and 17th August; and 24th September.

" We enclose an Account of the Deductions claimed by Durbeetzy Sing, and an Account of those which we agree to. We will not allow of any Addition to the latter, unless it be for the Village and Land given by the Governor General's Perwannah and Grant to Meestie + Khurriem Oulah, and Jubrage Sing, in confirmation of a Grant of the Emperor Aurengzebe, and amounting to the Total Sum of S^r R^s 2822 : 13 : 1. This Deduction we permit you to add to our Account, if, as the late Resident informs us is the Case, the Governor General's Name appears on the original Sunnuds, and in such Case only.

" You will observe that the Difference between the Amount of Durbeetzy's Claims, and that which we agree to, even including the Deductions for the Village and Land granted to Mustie Khurriem Oulah, and Jubrage Sing, is S^r R^s 1,42,259 : 5 : 8. We direct that you make an immediate Claim of this Sum on Durbeetzy Sing, who, according to the Muchulca which he gave to our late Resident, on being released from Confinement, is engaged to pay it into the Benares Treasury.

" We understand, that in consequence of a Request made by the Widow of Rajah Bulwant Sing, and by the present Rajah Mehipnarain, the Amount due from Rajah Durbeetzy, for the Collections of that Part of the Fussulie Year 1190, during which he held the Office of Naib, was agreed to be left to the Arbitration of All † Ibrahim Cawn; and your Letter of the 5th of June informs us, that his Successor Baboo Jagger Deo Sing had paid the full Amount of that Year's Kists up to the Date of it, independent of the Collections made by Baboo Durbeetzy Sing at the Beginning of the Year. We have not yet learnt whether Ally Ibrahim Cawn has delivered in his Award; but if he has, we direct that you claim and receive the Amount adjudged by him to be due from Baboo Durbeetzy Sing, and transmit a Copy of the Award to us.

(Dated, and signed at the End)

" Fort William,
Secret Department,
27th Dec. 1783.

Warren Hastings.
Ed^d Wheler.
John Macpherson.
John Stables."

Then the Witnefs produced Book 73, intituled, " Bengal Secret Council, from 17 February to 9 March 1784."

Read, Extract from a Consultation of 24th February 1784, beginning Page 349 of the said Book.

" Fort William, 24th February 1784.

" At a Council, Present,

The Honourable Edward Wheler, and John Stables, Esquires;

The Governor General absent on a Visit to the Dominions of the Nabob Vizier.

Mr. Macpherson absent from the Presidency for the Benefit of his Health.

Publ. Depart.
Tuesday.

[" Honourable Sir and Sirs,

" Enclosed I have the Honour to transmit the Award of Ally Ibrahim Kawn, Chief Magistrate of Benares, agreeably to your Orders of the 27th of last December.

" I have the Honour to be, with the greatest Respect,

Honourable Sir and Sirs,

Your most obedient and humble Servant,

Benares, 12th February, 1784.

(Signed) F. Fowke, Resident."]

" An Account of the Wassilauts of the Districts of the Sircar Benares, Chunar, Gauzipore, and Jonipore; collected by Baboo Durkbidzy Sing, the Naib, for the Fussully Year 1190, from the Beginning of the Month Assin, or Four Shawal, to various Dates of the above Year, agreeably to the Request of Baboo Jagger Deo Sing, and the Ekrauznama of Baboo Durkbidzy Sing, to abide firmly by the Decision of Ally Ibrahim Cawn Bahadur, Chief Magistrate of this City of Benares, for the Amount of the above Wassilauts on Account of the abovementioned Fussully Year 1190, and conformably to the Direction of Mr. William Markham, and Mr. Francis Fowke, and Mr. John Benn; and in the Adjustments of the above Accounts, the late Zemindar's Canongoes Aumils, and those now employed, and the Officers of the present Naib Baboo Jagger Deo Sing, and the Officers of the late Naib Raja Myipnarain Baboo Durkbidzy Sing, have been confronted

* Sic in Orig.

† Sic in Orig.

‡ Sic in Orig.

before Ally Ibrahim Cawn Bahadar, Chief Justice of Benares, in his Adaulut; settled and decided the Fourth of November 1783, or Eighth Zehidge 1198; with the Exception of the Farm of Daifunny Sing, who is fled, the Account of which is given separately. The Seal has been affixed to this Account, with the Consent of Summut Sing, and Aunow Sing, the Mutfuddies of Baboo Durkbidzy Sing, and Khaob Chund, the Mutfuddy of Baboo Jagger Deo Sing.

Taffil by Rajah Myipnarain, by his Agent

Gurwoboofe, of Purgunnah Bealliey	—	—	4,401	5	6	
D° Dollipfing of D° Kholasbah	—	—	5,767	2	—	
D° Diaram of D° Khaupore	—	—	1,297	4	—	
D° Hufbaufling of D° Mungrah	—	—	16,223	13	9	
D° Dollipfing of Taahuk Koondey	—	—	233	4	—	
						27,942 13 3

Taffil by Surmpzet Sing.

Of Purgunnah Coppachit Sircar Gauzipore	S° R°	3,138	10	6	
D° Kharrzid of D° Jompore	—	4,940	12	9	
D° Sukunderper of D° Gauzipore	—	2,223	6	—	
D° Bullick D° D°	—	2,090	13	3	
D° Luckuiffur D° D°	—	19	12	—	
D° Talook of Purgunnah Pehihooter D°	—	250	11	9	
					12,664 2 3

Taffil by Bullundofs.

Of Purgunnah Tohoorabaud and Sircar Gauzipore	S°	4,994	5	3	
Of Havilly Gauzipore	{ S° R° 600				
	{ S° R° 2,840	8	3		
		3,440	8	3	
					8,434 13 6

Taffil by Tackooroy Rhanoo Sing.

Of Tooluck Sirhome Havilly Gauzipore	—	—	—	—	691 7 3
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Taffil by Nimma Sing.

Of Taalock Moofapore Purgunnah Bisley	—	S°	125	—	—
Of D° Tuckuy D° Khaufwar	—	—	3,645	15	6
					3,770 15 6

Taffil by Rhanny Gollaub Koonwar of Mouray Jomillah.

Of Havilly Jompore	—	—	S°	196	—
Of Sayer Ramnagore	—	—	—	3,236	11 9
					3,432 11 9

Observed (that 196 R° of Mouray Jomilla) by Summut Sing and Omrau Sing, that it is not included in the Nizamut as the same was purchased by Cheit Sing of Azdulla Cawn.

D° of R° 3236 : 11 : 9 of Sayer Ramnagore, which is also not included in the Nizamut, the same having been inhabited by Cheit Sing.

Taffil by Purwoonarain.

Of Purgunnah Mahaatch Sircar Chunar	—	—	S°	4,324	11 3
Observed by Summut Sing and Omrau Sing, that the above is the Jagheer of Baboo Durkbidzy Sing.					

Taffil Nondum Sing.

Of Purgunnah Mungrhaur of Sircar Chunar	—	—	S°	873	2 —
Observed by Summut Sing and Omrau Sing, that the above is not included in the Nizamut, being Alltugmah of Raja Bulwant Sing.					

Taffil by Simboorutton.

Of Taaluck Lotha	—	—	S°	101	— —
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Taffil by Baunsey Tackoorain.

Of Purgunnah Bugwant of Sircar Chunar	—	—	S°	1,220	11 9
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Taffil by Agarmindy

Of Sayer Gauzipore	—	—	{ S° R° 10,040	11 6	
			{ S° R° 621	15 —	
					10,662 10 6

Taffil by Latta Champaut Roy.

Of Sayer Benares	—	—	S°	9,592	10 6
Of Mohaul Amanaut	—	—	—	2,200	— —
					11,792 10 6

Taffil by Durbur Sing.

Of Sayer Mirzapore	—	—	S°	12,359	12 6
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Taffil by Meer Rirmolly.

Of Moufay Mirhaupore	—	—	—	—	38 — —
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Taffil

Taffil by Byzoonaat.									
Of Moufay Bauwar of Purgunnah Cuthur	—	—	—	—	20	—	—		
Taffil Sujna Choudny.									
Of Purgunnah Khaloopore of Sircar Chunar	—	—	—	—	1,505	4	6		
Taffil by Omraw Sing.									
Of Purgunnah Cauntilt of Sircar Tarhaur	—	—	—	—	S ^a 11,309	—	—		
Taffil by Gomaun Sing.									
Of Purgunnah Ghurwannah of Sircar Jompore	—	—	—	—	8,748	—	—		
Taffil by Cutrob Ally Beg.									
Of Sayer Jompore	—	—	—	—	466	9	9		
Taffil by Omraw Sing.									
Of Taaluck Mahjowah of Purgunnah Kufwar	—	—	—	—	3,249	3	3		
Taffil by Ramdial Sing and Huniar Sing.									
Of Taaluck Cheleypore Havilley Sircar Benares	—	—	—	—	S ^a 998	3	3		
Taffil by Bahadur Sing.									
Of Taaluck Jalloopore Purgunnah Havelly Sheopore	—	—	—	—	1,308	5	6		
Taffil by Dunfing and Jaundah.									
Tackoor of Purgunnah Murhay ahoos Sircar Jompore	—	—	—	—	19,956	3	9		
Taffil by Joyit Sing.									
Of Taaluck Muzwhowah of Purgunnah Kufwar	—	—	—	—	1,109	15	9		
Taffil by Bahadur Sing.									
Of Purgunnah Mahwuhe and Mohowany of Sircar Chunar	—	—	—	—	2,058	3	6		
Taffil by Dyaram.									
Of Purgunnah Sattiffghur	—	—	—	—	475	13	6		
Taffil Mimhur Sing.									
Of Purgunnah Kinder Sircar Gauzipore	—	—	—	—	1,138	12	—		
Taffil of Mungul Sing.									
Of Taaluck Bohintah Durahim	—	—	—	—	541	12	—		
Taffil by Tomaun Sing.									
Of Taaluck Nodiah of Purgunnah Murhay ahoos Sircar Jompore	—	—	—	—	6,165	12	3		
Taffil by Jackooroy Haruo Sing.									
Of Purgunnah Ghurhay and Dimmay of Sircar Gauzipore	—	—	—	—	S ^t 238	—	—		
Taffil by Jackooroy Omraw Sing.									
Of Purgunnah Nurwan Sircar Gauzipore	—	—	—	—	2,310	14	—		
Taffil by Pulwan Sing.									
Of Purgunnah Muzwar Sircar Chunar	—	—	—	—	842	8	9		
Taffil by Mungul Sing.									
Of Moufay Mouray and Purgunnah Kaunrakut	—	—	—	—	179	2	—		
Taffil by Shake Mahomud Ekran.									
Of Purgunnah Shadiabud Sircar Jompore	—	—	—	—	S ^t 3,558	10	3		
Taffil by Permamend.									
Of Moufay Khimrondey Sircar Booley	—	—	—	—	S ^a 160	6	—		
Taffil by Zhit and Mirwan.									
Of Mohaul Chunaburuy	—	—	—	—	S ^t 1,873	—	—		
Taffil by Shrobowse Sing.									
Of Moufay Bhurkey and Purgunnah Khimakut Sircar Jompore	—	—	—	—	S ^a 635	14	9		
Taffil by Nefarolloy Cawn.									
Of Amudpore Purgunnah Havilley Jompore	—	—	—	—	180	—	—		
Taffil by Futtay Walla Beg.									
Of Rannoypore Purgunnah Havilly Chunar	—	—	—	—	40	—	—		
Taffil by Kufunt Sing and Refaul Sing.									
Of Moufay Belli and Purgunnah Cutayhur	—	—	—	—	S ^t 75	1	3		
Taffil by Rammanoraut.									
Of Dayaut Purgunnah Kufwar	—	—	—	—	225	5	6		
Taffil by Doolut Sing.									
Of Moufay Suldaunpore Purgunnah Havilley Jompore	—	—	—	—	182	4	9		
					Rupees	—	1,67,842	—	3

Particulars of the above:

Sicca Rupees	—	—	4,41,051	7	3
Turfully and Hurfunnah	—	—	26,790	9	—
			1,67,842	—	3

Taffil

Taffil of Maul.

Sicca Rupees	—	1,03,154	15	3
Turfulley and Hurfunnah	—	26,168	10	—
				<u>1,29,323 9 3</u>

Taffil of Sayer.

Sicca Rupees	—	37,896	8	—
Turfulley	—	621	15	—
				<u>38,518 7 —</u>
				<u>1,67,842 — 3</u>

“ Summut Sing and Omraw Sing, Mutfuddies of Baboo Durkbidzy Sing, and Kulchund, Mutfuddie of Baboo Jagger Deo Sing, objected to put their Signature on the following Particulars :

Taaluck Gopallapore, Taffil by Bunwaul Laul, Aumil of Baboo Durkbidzy Sing, as per Waffilaut, stated by Budjiobaffey Laul, an Aumum, by Mr. Markham — — — — — S^r Rupees 4,314 11 —

Taffil by Durnau Sing, Aumil of Baboo Durkbidzy Sing, claimed by Durnau Sing as an Affignment in Payment of his Wages; the Mutfuddies of Durkbidzy Sing call upon Durnau Sing to produce the Sunnuds signed by Baboo Durkbidzy Sing, which he has not yet done, viz.

Deyhaut of Purgunnah Murhayaboo	—	—	344	5	9
Moulay Barhoyn of Purgunnah Cuttayher	—	—	359	6	6
					<u>S^r Rupees 5,018 7 3</u>

Total of the above Two Sums must be accounted for

by Baboo Durkbidzy Sing, as follows : — Rupees	1,67,842	—	3
Ditto	5,018	7	3
			<u>Rupees 1,72,860 7 6</u>

“ Particulars of Waffilaut of Sairupnoo Pissarah, &c. which were formerly sent to Mr. Francis Fowke, in Three different Papers; (viz.)

Sairupnoo Pissarah	—	—	4,818	12	9
Pergunnah Bhogwat	—	—	1,220	11	9
Ditto Aurora	—	—	4,052	8	9
Ditto Tattrah	—	—	1,463	—	—
Taaluck Gopaulpore	—	—	955	1	6
					<u>12,510 2 9</u>

Deduct Waffilaut.

Of Purgunnah Bhogwat, as per Waffilaut, brought to Account in Durkbidzy Sing's Waffilaut, amounting to — — — 1,220 11 9

Of Purgunnah Tolliah Taffil, by Auhun Sing, Aumil of Baboo Jagger Deo Sing, which Jagger Deo Sing is to account for 1,463 — —

	2,683	11	9
			<u>9,826 7 —</u>

Paid into the Hands of Sauker Pundit, as per Account transmitted by him, in which this Amount is stated as paid by Daiffunny Sing, and carried to Account of the Honourable Company, as follows :

Of Purgunnah Sanypoo Pissarah	—	—	3,000	—	—
Of Ditto Aurora	—	—	1,999	8	—
Of Taaluck Gopaulpore	—	—	500	—	—
					<u>5,499 8 —</u>
					<u>Balance 4,326 15 —</u>

“ Particulars of the above Balance.

Of Purgunnah Sainymoo Pissarah	—	—	—	1,818	12	9
Of Ditto Aurora	—	—	—	2,053	—	9
Of Taaluck Gopaulpore	—	—	—	455	1	6
						<u>4,326 15 —</u>

" The Mutfuddies of Baboo Durkbidzy Sing observe, that Daifunny Sing was employed by Jagger Deo Sing, as his own Agent, after the Dismission of Baboo Durkbidzy Sing; and that he sent Daifunny Sing to collect the Purgunnah of Sainymoo Pessarah; and that after this, Daifunny Sing, being the Servant of Baboo Jagger Deo Sing, absconded: It also appears from the Accounts of Sunker Pundit, that Daifunny Sing paid the Collections of the above Purgunnah down to the 24th of Mohunum 1190 Fussilly, and Baboo Durkbidzy Sing continued in Office no longer than 6 Zehidge of the same Year. The Mutfuddies of Baboo Durkbidzy Sing further say, that if Baboo Jagger Deo Sing will produce Daifunny Sing, and deliver him to them, they will agree to pay whatever Waffilaut may be proved against him. In this Case it depends upon Baboo Jagger Deo Sing to produce Daifunny Sing, and deliver him to the Officers of Baboo Durkbidzy Sing, and it is incumbent on the Officers of Baboo Durkbidzy Sing to pay to Baboo Jagger Deo Sing whatever Amount of Waffilaut is proved to have been collected by Daifunny Sing.

" Particulars of the Waffilaut of Baboo Durkbidzy Sing, of the Year 1190 Fussilly, being	Rupees	1,72,860	7	6
" Deduct paid by Baboo Durkbidzy Sing, in the Hands of Sunker Pundit, which was known by his Mutfuddies	—	—	—	50,324 — —
	Balance R.	1,22,536	7	6"

Then the Managers for the Commons acquainted the House, that the next Piece of Evidence would be produced to prove, that Mr. Hastings had provided for the Expences of Major Camac's Detachment.

The Witness delivered in Book 26, intituled, " Bengal Secret Council, from 29th February to 24th July 1780."

Read, Extract of a Consultation held on the 26th June 1780, beginning at Page 560 of the said Book.

" Fort William, 26th June 1780:

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

Philip Francis, } Esquires.
Edward Wheler, }

Lieutenant General Sir Eyre Coote absent on a Visit to the different Stations of the Army.

" The Governor General lays before the Board the following Minute:

Extracts of
Governor
General's
Minute.

" I now revert to my Proposition, and request the Board to reconsider their Objections to the Instructions which I have proposed to be given to Major Camac. I have not the Presumption to expect that they will be influenced by any Reasonings which I have used; having had too much Experience of the Insufficiency of Official Argument to overcome a decided, and much less a confederate Opposition. But as the Expence which will attend the Measure which I have recommended, is the only formal Objection made to it, I hope I may be allowed to remove it, by offering to exonerate the Company from it, and to take it upon myself. That this Proposition may not be misunderstood, and that I may not bind myself by Engagements which may exceed my Power to fulfil them, I will explain myself.

[" The regular Pay and Batta of the Troops which are to form Major Camac's Detachment constitute no Part of the Expence of it, since there would be the same in their Amount, although the Battalions remained in their original Quarters. Neither ought the Suspension of the Subsidy to be charged to the Expedition, since it is probable, and I regard it as certain, that the Ranah having no further Call for our Aid within his Country, for the sole Defence of it, will be glad to be relieved from the Expence attending it, and because it is proposed in the last of the Minutes of Mess. Francis and Wheler to withdraw it: The Contingencies of the Detachment are therefore the only Expence that can be reasonably charged to the Expedition. These I rate far below Two Lacks of Rupees. That Sum I offer to contribute to this Disbursement; I have already deposited it, within a small Amount, in the Hands of the Sub-treasurer, and I beg that the Board will permit it to be accepted for that Service.

(Signed) Warren Hastings.]

" Ordered that the foregoing Minute lie for Consideration.

Warren Hastings,
P. Francis,
Edw. Wheler."

The Managers for the Commons then acquainted the House, they should next read the Petition from the Rajah Mehinnarrain to which Mr. Benn had been examined, with Mr. Benn's Report upon the Subject of the same to Mr. Hastings. The

The Witness produced Book 74, intituled, " Bengal Secret Council, from 15th May to 30th August 1785."

Read, Extract of a Consultation held on 24th August 1785, beginning at Page 491 of the said Book.

" Fort William, 24th August 1785.

" At a Consultation ; Present,
The Honourable John Macpherson Esquire, President ;
Lieutenant General Robert Sloper, Commander in Chief ;
John Stables Esquire, and
The Honourable Charles Stuart.

" The Secretary lays before the Board the following Letter from the Resident at Benares :

" To Mr. Secretary Hay.

" Sir,

" I have received your Letter of the 26th last May.

" In Obedience to the Orders of the Board, I have the Honour of laying before them the Whole Correspondence between the late Governor General and myself, during his Continuance without the Provinces in 1784.

" I am, Sir,

" Benares, 10th July 1785.

Your very obedient Servant,

" F. Fowke, Resident."

Resident at
Benares 10th
July.

" Ordered, That the Correspondence transmitted with the foregoing Letter be entered after the Consultation.

[" To Francis Fowke Esquire.

" Sir,

" I herewith send you a Petition which I have received from Rajah Mehipnarain, with a Paper containing an Explanation of it : I request that you will inform me if the Facts are justly stated, or in what Particulars they differ from his Representation of them. I also understand that the Rajah's Name is totally disused in all Sunnuds, Aumilnamas, and other Officers' Deeds and Papers of the Naib's Office, and the Naib's used in his Stead. Be pleased to inform me since what Time this Practice has prevailed, and whether by any Authority expressly given to the Naib. On the preceding Points, if you can furnish me with any Lights which may enable me to form a proper Judgment of them, I request to be informed thereof.

" I am, &c.

" Benares, 14th March 1784.

(Signed)

W. Hastings."

" Petition of Rajah Mahipnarain.

" When lifting me from the Dust of Obscurity, your Excellency exalted me to the Raaje of Benares, agreeable to the Usage of my Grandfather, Rajah Bulwand Sing, you confirmed to me the Jaghire and Altumgah Mahls, Half Buddock, and the Pergunnahs of Maauge and Mungrore, also Six Lacs and Thirty thousand Rupees odd, for my own Expences and Subundy.

" Baboo Dushbedjey Sing, my Naib, from his own Neglects, failing in the Revenues of the Sirkar, the Jaghire, &c. above mentioned were sequestered till the Payment of the Balances, and a Perwannah sent me to make them good : Out of Regard to the Orders of the Prefence, and hoping the Release of the Mahals, I paid the Demands of the Sarker through Gopaul Dofs ; notwithstanding which my Jaghire is still in Sequestration, and from the Day of my Exaltation to the Raaje, I have not received a single Dâam of the established Allowance for Support and Sebundy.

" Baboo Jaggudis Sing, contrary to good Policy and the Welfare of the People, makes Exactions from the whole Country, and does not pay even the fixed Revenue. There is neither Advantage to the Sirkar, nor Ease to the People.

" From my good Fortune your Excellency has advanced to this Country. If a sure Settlement is not now made to my Advantage, I shall despair of its being done ever. From your compassionating Benevolence I hope that my Jaghire and Altumgah will be released to me, and Orders be given to the Chief of Benares to pay regularly to me the allotted Sum of Six Lacs and Thirty odd thousand Rupees, for my own Expences and the Sebundy.

" Rajah Mahipnarain represents, that since his Exaltation to the Raaje he has not enjoyed the smallest Part of that Consequence or Respect due to his Rank. Even the Town of Ramnagore, allotted for his Residence, has been put under a Cutwal from another Authority.

" Half the Pergunnah of Buddock, producing a Revenue of One hundred and fifty-eight thousand three hundred and forty-one Rupees, was allotted him in Jaghire. The remaining Part he held from the Sirkar, at the Jemma of Seventy thousand five hundred Rupees.


" Mungrore, producing a Revenue of Fifty thousand Rupees, was granted in Altumgah to the Raunce Golaab Koer.

" Meitch,

“ Meitch, producing a Revenue of Sixty thousand Rupees, was granted in Jaghire to the Rajah's Father and Naib Baboo Dushbedjey Sing.

“ Baboo Dushbedjey Sing failing in ~~his~~ Payments to the Sirkar, the Whole of the above-mentioned Grants were sequestered, and an Order sent from the Council to the Raja to make good the Balances; but Mr. Markham, on the Rajah's Representation of his Case released Half the Pergunnah of Buddock, and promised, when the Balances of the Sirkar should be paid, to release the others. The Rajah, seeing that his Father made no Efforts to pay the Demands of the Sirkar, satisfied them himself, by the Assistance of the Banker Gopaul Dofs. Mr. Markham assured him that his Promise should be kept; but he was recalled, and the Altungah and Jaghire of Mungrore have not yet been restored. The Half of the Pergunnah of Buddock the Raja at present possesses in Jaghire; and he now holds the Remainder of the Sirkar, with the Addition of Seventeen thousand Rupees to the former Jemma, as before mentioned. He hopes that this Addition will be excused, and a Lease granted him at a fixed Jemma for the future; that the Altungah of Mungrore will be released to the Rannee; and Maitch, the Jaghire of his Father, be allowed to remain under him, till such Times as the Sums advanced on his Account for the Payments of the Sirkar shall be made good.

“ Of the Six Lacs five hundred Rupees allowed for the Muddud Phertch, the Raja had not received one Dâam since his being placed on the Raaje. He hopes that an Allowance will be made him on this Account from the Date of the Removal of his Father from the Neabut, and that he shall receive the Whole in future.

“ The Raja is in all Things obedient to the Sirkar; but he humbly hopes that the usual Ruffaam and Adaab of the Dignity of Rajah may be allowed him, viz. that the Naib may receive a Khelaal from him, and the Aumils on their Appointment be ordered to pay him the customary Compliment of taking Leave, and receiving from him the Beitle, &c.”] 

“ To Francis Fowke Esquire, Resident at Benares.

“ Sir,

“ Having received numberless Complaints of the Violences committed by Sepoys detached for various Purposes, but principally for that of collecting Grain, and other Provisions, for the Subsistence of the Garrisons and other Military Stations in, and bordering in, this Province; I have therefore written to the Commanding Officers of Chunar and Buxar, desiring them to abstain from this Practice hereafter; and to apply to you, and to order the Officers under their Command to do the same for whatever they may want of Grain, or other Articles of necessary Subsistence: And I desire that you will require the Naib, on Pain of Dismission from his Office, to comply instantly and effectually with such special Requisitions as you shall judge it necessary to make to him for these Purposes; and at all Times to keep the Bazars of the Garrisons and Military Stations constantly supplied with Provisions and other Necessaries of Life, that no Pretext may be afforded for the Continuance of the Grievance complained of.

“ I must further require of you, and I do most strictly enjoin you, to keep a Book of all the Applications which you receive from the Military Officers for the Aid of your Influence or Authority, for whatever Purposes, and of your Letters written officially to them, together with Copies of all Complaints made by them, or against them, or against the People under their Command, whether Sepoys or others; and that if any Officer shall act contrary to these Orders, or suffer them to be infringed, you do immediately transmit to me an Account thereof, with all the Particulars which shall have come to your Knowledge, while I am on this Side of the Caramnassa, and to the Board after my Return to the Presidency; and I think it proper to declare, that if it shall ever come to my Knowledge that any Oppressions are committed by the Sepoys, or any shall have been detached contrary to these Orders, and you shall have neglected to give me Notice thereof, I shall consider it a very criminal Breach of your Duty. I do not believe that it is likely to happen, and have the firmest Reliance on your Vigilance to prevent it. I mean by this Declaration rather to strengthen and enforce your Authority, than to reflect even the most distant Charge or Suggestion of Distrust to your Disadvantage.

“ I must also desire that you will give strict Injunctions to the Manager to compel his Aumils to remain in their Stations, and to place proper Persons in all the Villages which lie on or near the Road, whenever any Military Forces pass through their Districts, to protect the Riats, and make their Applications for Redress to the Commanding Officers, if any Oppressions are committed, or for Guards, when they may be wanted; and above all Things to keep them supplied with the Necessaries of their Bazars; I have been myself a Witness of the ruinous Effects which have been produced by his Neglect of these Precautions, although enjoined in the strongest Terms by myself in Person, and by yourself before my Arrival at the Boundary of his Jurisdiction.

“ Benares,

I am, &c.

“ 16th March 1784.

(Signed)

Warren Hastings.”

“ To Lieutenant Colonel Ahmuty, commanding at Chunar.

“ Sir,

“ Many Complaints have been made to me of Violences committed by the Sepoys under your Command, both those belonging to the Station of Ghazepore, and especially those of your immediate Garrison. The Instances that have been reported to me are of various Kinds; but those which made the greatest Impression on my Memory, from their Influence on the publick Revenue, and Peace of the Country, were these; that it was a constant Practice for Parties of Sepoys to take, by Force, the Grain of the Country at an inferior Rate, and carry it to the Bazars of Ghazipore Station, and of Buxar, where it was sold at a very advanced Price; and Instances were quoted to me of the Grain upon the Ground, and even of Seed Grain attached for the same Purposes, and either taken or released on a pecuniary Accommodation. I so well know the Benevolence and Probity of your private Character, that I am certain you are incapable of departing from the Sight of these Virtues in your public Conduct: But you cannot command the Forbearances, nor be answerable for the Behaviour of that Class of Men to whom these Complaints relate, when you arm them with your Authority, and let them loose, for whatever Purpose or however necessary, on the distant and defenceless Raiats.

“ I must, for this Reason, request, and I am certain that you will allow my Request the Weight of a Command, that you will instantly withdraw every Party, and every Sepoy whom you may have detached into any of the Districts of the Zemidarry of Benares, and that you will give the like Orders to the Officer commanding at Ghazipore; that you will abstain hereafter from sending any Parties, even a single Sepoy, beyond the Caramnassa; and forbid the Officer on Command at Ghazipore to send any Sepoys, or a single Sepoy, with Authority, or for any Purpose whatsoever, into a Village of the District, except on Services required by the Aumil, in Writing, and specially prescribed by the Aumil, or Person appointed to attend them. I have given strict Injunctions to Mr. Fowke to take immediate and effectual Measures for supplying the Station at Ghazipore with Grain, and the Necessaries for their Subsistence; and it must be his sole Province to direct and provide for such Supplies. If you require the like Provision for your Garrison from the District of this Zemidarry, I must desire that you will apply to him, and he has my positive Orders to afford you his effectual Assistance for that End.

I am, &c. &c. &c.

“ Benares, 16th March 1784.

Signed Warren Hastings.”

“ The same to Major Eaton, commanding at Buxar.”

The Managers for the Commons stated, that it was material to attend to the Date of the Paper they were next about to produce, viz. of the 20th April 1784.—That Mr. Hastings did not leave Calcutta till the Year 1785, consequently it was in his Possession at the Time he left Calcutta: and that it appeared by the Date, as well as from the Names of the Members present at the Consultation now before the House, that Mr. Hastings had neglected to transmit it, as it was his Duty to have done.

“ Read, the following Extract from the Appendix to the same Consultation.

[“ To Francis Fowke Esquire, Resident at Benares.

“ Sir,

“ In Obedience to your Commands I proceeded to Gauzipore, to enquire into the various Causes of Complaint preferred against the Sepoys belonging to the Stations of Buxar and Gauzipore. The following Narrative contains a true Statement of Circumstances as far as I have been able to investigate them.

“ In the Months of Assin Cautic, and Aghun Poofe, and Maug, when all Kinds of Grain bore an exorbitant Price, occasioned by the Failure of the Periodical Rains, and the consequent Apprehension of a Famine, the commanding Officers of Buxar and Gauzipore seem to have found their Buzars insufficient* supplied with Grain. To remedy this Inconvenience, it appears, that Parties of Sepoys were sent into the Mofussill, from both Stations, to procure Grain. It does not appear by any Evidence that I have seen or heard, that any conciliating Mode or regular Plan was adopted for the Supply of the Military Buzars, or that the Naib Baboo Jagger Deo Sing (though he must have known of these Complaints) ever interposed his Authority to remedy the Evils complained of, by endeavouring to remove the apparent Cause of them. * Sic in Orig.

“ The Alarm occasioned in the Country by the Appearance of Sepoys in the different Villages upon this Errand, made the Inhabitants fearful of exposing their Grain, or of acknowledging that they were possessed of any. As this encreased the Difficulty, the Sepoys seem to have had recourse to more indirect Means of obtaining it. They very soon appear to have opposed Secrecy with Violence.—Many of the Ryotts have complained to me, that they were threatened with corporal Punishment by the Sepoys if they did not produce Grain in many Places, that the Sepoys entered the Houses of the Ryotts to search for it, and, in some, that corporal Punishment was inflicted.

" At this Season of the Year there is very little Grain in the Villages, except what is deposited for Seed, or for the Consumption of the Rayott and his Family.

* Sic in Orig. " There is another Cause of Complaint * ^{which} with the Zemindars and Rayotts have invariably made to me, that either the Weight or Price of the Military Buzars, and sometimes both, differed from the Weights and Prices of the Pergunnahs from whence the Grain was taken. To explain this Subject, I have annexed Two Accounts of Grain, one taken by the Sepoys of each Station, and attested by the Zemindar and Potwarry of the Village from whence the Grain was taken. To have collected and translated all the Accounts of this Nature, I must have translated an Account from almost every Village in this Sircar, from some Two. The Accounts are as they were delivered to me; I have sent you the Originals, together with the Translations, that any Error of mine may be corrected.

† Sic in Orig. " Upon the Receipt of the Price paid at the Military Stations for each Quantity of Grain, it appears that Razynamahs were taken from the Owners of the Grain; which Razynamahs, the Inhabitants assert, were made a Condition of Payment. It does not appear that any of the Officers of the Military Stations received these Razynamahs. The whole Translation † of taking the Razynamahs, and paying for the Grain, seems to have rested betwixt the Cutwal of the Buzars, the Black Officers who commanded the Party sent to search for Grain, and the Owners of it. The Cutwal of the Buzars appear sometimes to have attended these Parties into the Mofussil, but their Presence does not seem in any Instance to have afforded Relief to the Rayotts. The Sepoys do not always appear to have been sent expressly to any particular Town or Village, but generally to a Pergunnah to procure Grain; for there are many Instances where the Village has been spared, on the Inhabitants giving a small pecuniary Consideration to the Sepoys.

" The Pergunnahs in Sircar Gauzipore seem to have been divided betwixt the Two Stations in the following Manner.

Buxar	{	Mohamudabad,
		Gurrah,
		Demah,
		Belliah,
		Copah,
		Lucknessar,
		Khoreed,
		Secunderpore,
		Chounrah,
		Zamaniah.
Gauzipore	{	Havilly Gauzipore,
		Zehourabad,
		Pachouter,
		Curudah,
		Zheddiabad,
		Beerabad.

" Many of the Aumils of Gauzipore have complained to me that their Rayotts prefer Complaints against them to the Officers of the Military Stations on Matters of Revenue, and these Complaints are often followed by Perwannahs ordering the Aumil upon the Subject, the Contents of which Perwannahs are made known to the Rayotts. In the Zemindary of Benares no Person can direct an Aumil in the Mofussil Business of the Country, who is not himself well informed of the particular Usage of each Pergunnah. The Questions betwixt Aumil and Rayott are often of a complex Nature, involved in old Customs and technical Terms, and never can be understood by the Representations of One Party only.

" But this is not the sole Detriment. This Country has long been subjected to one Authority. The Natives do not understand Subdivisions of Power; nor can the Business of the Revenue ever be conducted well, if the Country is subjected to different Jurisdictions. That Class of the Inhabitants of this Country on which the public Revenue depends, the Rayotts, cannot judge how far positive Authority is connected with official Station; they generally consider the Marks of Authority, when they appear as proceeding from a Power regularly authorized to enforce Obedience to its own Acts.

" I am, Sir,

" Gauzipore,
20th April 1784.

" Your most obedient humble Servant,
Signed John Benn, Assistant."

" P. S. The Price paid at the Military Stations would, in a plentiful Year, be a high Price. This Year all Kinds of Grain fell at more than double the usual Price."

Pergunnah

Pergunnah Mohamudabad.

Village Biraum.

		M ^{as}	Q ^{rs}		at	14	Surs	per	Rupee			
Rice	—	2	32	—						—	7	15
Barley	—	50	3	—		16	D°		D°	—	125	3
Dann	—	6	—	—		20	D°		D°	—	12	—
Caughun	—	8	—	—		20	D°		D°	—	16	—
Marh	—	1	—	—		18	D°		D°	—	2	3
												6
Maunds	67	35	—								163	6
Paid to Rerpadofs	—	—	—	—	—	—	—	—	—	—	2	—
												3
											165	6
											64	11
												3
												—
											100	—
												—

Pergunnah Bierabad.

Village Bierabad.

					at	16	Surs	per	Rupee			
Rice	—	5	32	—						—	14	8
Wheat	—	7	16	—		20	D°		D°	—	14	12
Grain	—	7	36	—		22	D°		D°	—	14	5
Marh	—	19	36	—		24	D°		D°	—	33	2
Dall	—	8	8	—		20	D°		D°	—	13	1
Barley	—	39	4	—		24	D°		D°	—	65	2
												6
											155	1
											5	5
												6
											160	6
											95	—
												9
											65	6
												9

For the Sepoys delivered to Moonferam Havildar, including Tobacco, Ghee,
Grain, &c.

Price offered by the Cutwal at the Gauzipore Station, Name Dutram

Difference betwixt the Price of the Purgunnah and that offered by the Cutwal

The Owner of this Grain refused either to receive the Price offered, or to sign a Razynamah.

Purgunnah Havilley Gauzipore.

Village Lawah Khas Rus.

					at	15	Surs	per	Rupee			
Wheat	—	12	20	—						—	33	5
Rice, fine	—	2	20	—		13	D°		D°	—	7	11
D° coarse	—	1	16	4		15	D°		D°	—	3	12
Tow or Barley	}											—
Grain												—
Marh		68	23	12		18	D°		D°	—	152	6
Dall												9
											197	3

Price agreeable to the Purgunnah

Paid to Puraud Sing Havildar Salam.

Duftore	—									3	4	—
Talbanah	—									2	—	—
For the Sepoys	—									3	11	—
Victuals	—											—

Weight and Price agreeable to the Military Bazar at Gauzipore.

					at	25	Surs	per	Rupee			
Wheat	—	10	—	—						—	16	—
Rice, fine and coarse	—	3	5	—		20	D°		D°	—	6	4
Barley	}											—
Grain												—
Marh		55	35	—		30	D°		D°	—	73	3
Dall												—
											95	7

Price agreeable to the Gauzipore Bazar

Difference betwixt the Price Current of the Purgunnah, and the Price paid
at the Gauzipore Bazar

101 14 —]

Then

Then Lieutenant Colonel THOMAS GARDNER was called in ; and, being sworn, was examined as follows :

Q. How long, and in what Capacity, have you resided in the East Indies ?

A. Seventeen Years and an Half, as an Officer in the Army.

Q. When did you leave it ?

A. In January 1784.

Q. In what Part of India did you reside during the latter Part of the Time you were in that Country ?

A. I resided several Years at Chunargur.

Q. You do not recollect exactly how many ?

A. I do not ; I was for some Time down at Calcutta ; but I believe altogether Five or Six Years.

Q. How far is Chunargur from the City of Benares ?

A. About Fifteen Miles.

Q. Had you any Reason to think, from your own Observations during the Time of your Residence there, that Property was well or ill protected in the Province of Benares ?

A. I had no Reason to think otherwise than that it was well protected.

Q. Did the People seem attached to their Native Government ?

A. They did.

Q. Whether you have made frequent Excursions into the Province, and have been often at the City of Benares ?

A. I have.

Q. Have other English Officers been in the same Circumstances ?

A. Many.

Q. Have you, or, to your Knowledge, have they been insulted, or suffered any Violence, in any of your Excursions into the Country ?

A. Not to my Knowledge ; I never heard but of One Instance.

Q. State that Instance ?

A. There was an Officer, or Cadet, I don't know which ; but he sent his Servants on Shore to get some Milk, and some Disturbance arose ; he went out to assist his Servants, and received some Hurt upon his Head.

Q. In your Excursions did you experience Civilities ?

A. Yes.

Q. Did you observe that Benares was infested by Robbers and Murderers more than any other Parts of India that you have seen ?

A. I believe not.

Q. Was you personally acquainted with Cheit Sing ?

A. I was.

Q. Had you any Opportunity of remarking whether he was of a violent and enterprising Disposition ?

A. I have been frequently in his Company, have played at Chess with him, and been in his House, and never saw any Marks of a violent Disposition.

Q. What was his Disposition, as far as you had an Opportunity to know it ?

A. He was gentle in his Manners, and polite.

Q. Had you observed, previous to August 1781, any Thing in the Conduct of Cheit Sing which indicated a Disposition to subvert the Authority of the East India Company, and to erect his own Independence on their Ruin ?

A. I had not.

Q. Was you ever informed that he was collecting or preparing any Provision for an open Revolt ?

A. Never.

Q. Did you ever hear any of the other Officers at Chunargur express any Apprehension of that Kind ?

A. Never.

Q. Was you at Benares when Mr. Hastings arrived there ?

A. I was.

Q. At what Time did he arrive ?

A. On the 14th of August 1781.

Q. Was there any Thing in Appearances that indicated a Design to attack Mr. Hastings in his Road to that Place ?

A. Not that came to my Knowledge.

Q. Was you with him on the Road ?

A. No, I was at Benares.

Q. At Benares you saw no Dispositions that were menacing ?

A. I went to see him upon his Arrival.

Q. Did you hear any Expressions amongst those who attended Mr. Hastings, that they apprehended any Design was entertained of attacking him ?

A. I did not.

Q. You was at Benares the Day on which Cheyt Sing was ordered to be arrested ?

A. I was.

Q. Where was the Rajah when he was arrested ?

A. I understood he was at Shewallah Gaut.

Q. Whether it is your Opinion, from the best Accounts you could collect, and the Observations you could make, that the Tumult was the Effect of a sudden Affray, or premeditated Design to commence Hostilities ?

A. I believe it was a sudden Affray.

Q. What was your Opportunity of observing it ?

A. I had no other Opportunity than being upon the Spot ; it is only Matter of Opinion ; I was in the Town.

Q. How far from Shewalla Gaut ?

A. About a Mile and an Half.

Q. When did you first hear of the Riot ?

A. The same Day, perhaps a Couple of Hours after he was put under Arrest. I was not there at the first Firing of the Sepoys. We heard they were collecting.

Q. How soon did you come to the Place where the Riot had been, after it had begun ?

A. I was in a House, not under the same Roof that Mr. Hastings was, but in a House connected with it, and dined with Mr. Hastings the same Day the Intelligence was brought of the Troops being cut off, and the Commanding Officers killed ?

Q. Is it that Time you speak of then ?

A. Yes ; it is Matter of Opinion.

Q. If the Rajah had entertained a premeditated Design to cut off Mr. Hastings, and the People who were with him, would it not have been in his Power after that Event ?

A. I think it would.

Q. Was you with Mr. Hastings at the Time ?

A. Yes.

Q. Had Mr. Hastings expressed any Apprehensions of a Design upon him before the Event of the Riot ?

A. Not that I know of.

Q. Were any Dispositions of the Military made to provide against the Execution of that Design before that Event ?

A. I know of none, except the Battalion of Sepoys ordered down to Benares to wait Mr Hastings's Arrival there.

Q. To what Place did Mr. Hastings retire after the Tumult, on the same Day or afterwards ?

A. We did not quit the House.

Q. How long did he continue in it before he quitted it ?

A. Four or Five Days.

Q. To what Place did he retire after he left the House ?

A. To Chunagur.

Q. Were they molested or attacked after the Tumult, and before they retired to Chunagur ?

A. We were not.

Q. Whether you served in the Army that was employed against the Rajah Cheyt Sing's People ?

A. I did ; I was Field Engineer.

Q. Was there any Thing in the Force they had to encounter that indicated a long premeditated Design to make War on the East India Company?

A. It is hard for me to answer that Question. I do not know there was; but I cannot be positive there was not.

Q. Whether the Force was so prepared and so trained as to be beyond the ordinary Establishment of the Rajah?

A. They were under Cover of a Breast-work and the Fort, and we could not see them: We could only see them at a Distance.

Q. It did not afford you the Opportunity required?

A. No.

Q. Did you ever make any Attack upon any of the Rajah's Forces?

A. I erected the Forts against Peteeta and Bidjeygur.

Q. Do you know whether the Fort of Bidjeygur was defended by any regular military Governor, or proper military Establishment?

A. I believe the Rajah's Mother commanded in the Fort, and gave her Directions to the Buxey.

Q. Was there any Military Force to protect the Rajah's Mother?

A. They fired on us frequently.

Q. Was there a formed Military Establishment before?

A. They always kept a Garrison in Bidjeygur.

Q. Of what Numbers did the Garrison consist, and of what Species of Troops, Engineers, or Artillery?

A. I believe there were about 700 Men who acted as Artillery, because their Guns fired upon us frequently, and killed several of our Men.

Q. Had you any Opportunity of making any Observation upon the Cannon and other Stores taken in the Fort?

A. Not till many Months after we got Possession of the Fort.

Q. At length you had?

A. I got a severe Illness at the Batteries during the Siege of Bidjeygur, which I did not recover of sufficiently for many Months, I suppose Seven or Eight Months; at the End of that Time I went to take a Plan of the Garrison myself.

Q. Were there any Remains of the same Guns or Stores which had been there during the Time of the Siege?

A. The Guns, I believe, were all there, or most of them.

Q. What Number of Guns?

A. I do not recollect the Number of Guns.

Q. What Observations you made upon the Quality of the Guns, and the Nature of the Stores?

A. The Guns were old, and ill mounted.

Q. The Stores were hardly remaining, I suppose?

A. No; I believe the Stores were removed.

Q. Do you know whether there were or were not any Cannon removed from Bidjeygur before you saw it?

A. I do not know that there was, for a Certainty; I have some Notion that the Cannon they took from us at Ramnagur was there, and had been removed; I believe it was, but I am not certain.

Q. In what Light was Cheit Sing considered by his Subjects in the Country in general, whether as a Renter, or as an Independent Prince?

A. I believe his Subjects looked upon him as perfectly Independent: They knew he was dependent upon our Government, but he had the Power of Life and Death over them.

Q. Whether he was a Prince beloved and esteemed by his Subjects?

A. I believe he was liked very well.

Q. Whether you know of any Application from Cheit Sing to Mr. Hastings at any Time before Mr. Hastings retired from Benares?

A. I understand there were Applications made.

Q. But you know nothing of them yourself?

A. I know nothing of them myself.

Q. Do

Q. Do you know of any Application made by Cheit Sing to any other Person?

A. Not by Cheit Sing himself—he was upon the opposite Side of the River.

Q. Or by any Person commissioned by him?

A. There was a Man, named Govind Ram, applied to me to request I would intercede with Mr. Markham in favour of Cheit Sing.

Q. Was Govind Ram in the Service of Cheit Sing before?

A. He was a Gentleman that resided at Benares.

Q. When was that Application made?

A. I believe it was the Second Day after the Affair of Shewallah Gaut.

Q. And before Mr. Hastings retired?

A. Yes.

Q. Whether you had any Reason to doubt that that Application was made under the Authority of Cheit Sing?

A. I imagine he was written to by some Person about Cheit Sing to make the Application.

Q. The Application was made to you personally?

A. To me personally.

Q. Was the Application represented as an Application by some Person from Cheit Sing, or as an Application warranted by Cheit Sing?

A. He did not express it particularly—he requested I would intercede for Cheit Sing, and said he was ready to submit to any Terms Mr. Hastings would please to impose.

Q. Did you communicate this Application to Mr. Markham?

A. I did.

Q. What Answer did Mr. Markham make to it?

A. Mr. Markham asked me how I could think of interceding as a Friend for the Murderer of my Friend Stalker, meaning Lieutenant Stalker, who was killed at Shewallah Ghaut.

Q. Did he refuse to communicate it to Mr. Hastings?

A. He did.

Q. Did he assign any Reason for not doing it?

A. He did.

Q. Besides that you have mentioned?

A. He did; he said that Mr. Hastings could not pardon Cheit Sing, his Crime was so great.

Q. I wish the Witnesses may be desired to state, as particularly as he can, what Answer Mr. Markham gave, and what his Reasons were; and what particular Crime Cheit Sing was guilty of that was so enormous he could not expect a Pardon? Do you know any other Particulars of Mr. Markham's Answer.

A. He did not state any other Particulars.

Q. Did you inform Govind Ram of this Refusal?

A. I did.

Q. Did he make any other Applications?

A. He frequently in Conversation wished that something might be done for the Rajah.

Q. Did you, in Consequence of that, make any Application to Mr. Hastings or Mr. Markham?

A. No.

Q. Did you ever communicate with Mr. Hastings at all?

A. I did not.

Q. Did any other Person ever apply to you besides Govind Ram?

A. Not that I recollect.

Q. Are you of Opinion, that in case this Offer had been accepted, Mr. Hastings might, without Bloodshed, have obtained a Sum of Money?

A. I believe he might.

Q. To any considerable Amount?

A. The Rajah, I believe, stood very much in awe of Mr. Hastings; and his Presence, I believe, would have compelled him to any moderate Terms he might have proposed.

Q. What do you mean by moderate Terms?

A. I suppose if Mr. Hastings had asked Ten Lacks, he would have given it to have been reconciled.

Q. This

Q. This you speak to as Matter of Opinion?

A. It is all Matter of Opinion.

Q. Whether you think the Presence of Mr. Hastings alone, without any Violence or Severity, would have induced Cheyt Sing to submit to those Terms you alluded to?

A. I do think he would readily have given Ten Lacks to have made his Peace with Mr. Hastings.

Q. Are you of Opinion, if these Terms had been accepted that Bloodshed would have been prevented?

A. I believe it would.

Q. Was there any Thing that appeared to you, at the Time Mr. Hastings arrived at Benares, to indicate a strong personal Animosity in Mr. Hastings against Cheyt Sing?

A. There did not.

Q. What Impression did the Conduct of Mr. Hastings towards Cheyt Sing make upon your Mind?

A. I suppose Mr. Hastings's ordering the Rajah under Arrest, was in consequence of his having received some secret Information that Cheyt Sing was carrying on a secret Correspondence with our Enemies; it struck me in that Light.

Q. Are you inclined to suppose that, from the Severity of the Measures that Mr. Hastings used towards Cheyt Sing, or from any other Circumstance?

A. From his ordering him under Arrest after his Arrival, without receiving the complimentary Visit from Cheyt Sing.

Q. Was he not by the Arrest disgraced and dishonoured in the Eyes of the Country?

A. Yes, I think he was.

Q. Do you think, that after the Arrest he would have been able, supposing him to have been left in his Government, to have administered his Government, and collected the Revenue as well as before?

A. I should not think he would have been respected as much as he was before; but he could have collected the Revenues, because he could have used Force; but he could not have done it by any other Means.

Q. He could have collected the Revenues, because he could have used Force; but he would not have been so much respected as before?

A. Yes.

Q. Supposing the obtaining a Sum of Money to have been Mr. Hastings's Object, and not a Design of punishing Cheyt Sing for a Correspondence inimical to the English Government, do you think the Arrest was necessary to force the Payment?

A. I do think it might have been done without the Arrest; but Cheyt Sing would certainly have made Difficulties if the Sum had been large.

Q. Did you ever hear what the Amount of the Fine was that Mr. Hastings proposed to levy?

A. Never, till I read it in Mr. Hastings's Narrative.

Q. Do you think that Cheyt Sing would have resisted the Payment of that Fine, and that it could not have been levied by any other than forcible Means?

A. I think Cheyt Sing would have objected to it, and started many Difficulties, if it amounted to so great a Sum as Fifty Lacks of Rupees.

Q. Would he have opposed it by Force?

A. I do not think he would.

Q. (*from a Lord*) If you know what the State of Cheyt Sing's Force was at that Time, namely upon the 14th of August?

A. I do not.

The Counsel were asked if they wished to put any Questions to the Witness.

Q. (*from the Counsel*.) Whether your Residence, though you might be sometimes in the Country, was not principally confined to Chunargur?

A. It was principally confined to Chunargur.

Q. Principally?

A. It was.

Q. But you made Excursions in other Parts of the Country?

A. I did upon Hunting Parties and Shooting Parties.

Q. Whether

Q. Whether there might not have been frequent Attempts by Cheyt Sing towards acquiring an Independency, and frequent Disorders in the Country, and yet they might have escaped your Knowledge?

A. No Doubt there might in a Tract of Country so very large.

Q. Whether some of the Forts under Cheyt Sing had not been recently enlarged, and whether some Alterations had not been made in his Forts?

A. I know of his adding a Bastion to Ramnagur, or some Works to Ramnagur.

Q. When was that added?

A. It had been doing for some Years.

Q. How many Years?

A. Two or Three, I believe; I don't immediately recollect.

Q. Whether some Alterations had not been made about Pateeta?

A. Just at the Time of the Insurrection there was.

Q. Before the 14th of August?

A. No, I believe not; I never heard that it was then.

Q. At what Time did you understand they were made?

A. Immediately after the Insurrection.

Q. That was the 14th of August?

A. Immediately after.

Q. What was the Nature of the Alterations?

A. They threw up a Breast-work.

Q. Had not the Works been considerably enlarged at Pateeta; was there any Enlargement at Pateeta antecedent to the 14th of August?

A. I believe not—not that I know of.

Q. Whether the Witness has not heard Complaints of Cheit Sing's Disaffection from the Resident at Benares, prior to the 14th of August?

A. I have heard Mr. Graham say, that he was very much dissatisfied upon the additional Demand of Tribute, upon Account of the Five Lacks in Addition that were laid on, I believe, in the Year 1778, or the Beginning of 1779.

Q. Were those all the Complaints you heard, of any Thing like Disaffection?

A. Yes, they were.

Q. Whether he had any Opportunity of observing the Stores found in the Fort of Cheit Sing, after the Insurrection?

A. Not for many Months after. I answered that Question before.

Q. When did you see them?

A. I saw none, except what I mentioned before.—I saw no Stores; there were large Grainaries there which had been filled with Grain; some was damaged very much, and some had been removed.

Q. Whether you saw the Supply of Stores sent by Colonel Blair?

A. I did not. I was confined to my Bed for several Months after the Surrender of Bidgegur.

Q. The Witness has been asked after the Temper and Disposition of Cheit Sing; I wish to ask the same Question with respect to Soojaun Sing the Brother?

A. Soojaun Sing was of a violent Temper, I believe.

Q. Were not the Affairs of Cheit Sing very much intrusted to that Brother, especially after the Insurrection?

A. I don't know that they were entrusted by Cheit Sing to him; but I believe he took upon him the Direction of many Matters.

Q. Do you mean before or after the Insurrection?

A. At all Times, before and after; all Matters.

Q. What Sort of Matters?

A. Respecting the Government of the Country. I believe he was of a violent Temper, and interfered in many Affairs, whether by Cheit Sing's Approbation or not, I don't know.

Q. Do you mean the Military or Civil Government?

A. I believe in all Matters whatsoever in the Affairs of Government.

Q. Had he not the general Direction of all Matters belonging to Cheit Sing?—Was he not the principal Director, Counsel, and Adviser of the Whole; and did he do it with the Will of Cheyt Sing?

A. I don't know that he was.

Q. At the Time of the Application the Witness has spoken to, which he communicated to Mr. Markham, was not Cheit Sing engaged in open Rebellion, and opposing our Troops in the Field? Do you know the Time when Govind Ram did make his Application?

A. I believe it was the Second Day after the Insurrection.

Q. Where was Cheit Sing at that Time? Was he at the Head of the Army in Rebellion?

A. He was at Ramnagur, on the opposite Side of the Ganges.

Q. Had he any Forces under him?

A. He was collecting Forces; he had collected a great Number.

Q. You don't know how many he had with him at the Time?

A. No, I cannot tell.

Q. Do you know any Thing of the Murder of an European of the Name of Hooper?

A. Mr. Hastings sent to me in the Morning of the Day before we left Benares, to know my Opinion respecting the Bombardment of Ramnagur: I gave it as my Opinion, the opposite Bank would be the properest Situation to erect Mortar Batteries. I represented it was better there than any where else: I represented it so to Mr. Hastings; and Mr. Hastings said, he thought the Distance was too great. I told him, I could not be exact in the Distance, but I thought it sufficiently near to erect a Mortar Battery opposite Ramnagur; but I would go up in the Afternoon, and examine it more particularly. In the Afternoon I went to the Spot: Shortly after my Arrival there, I saw a Budgerow and a large Boat coming down with the Current very quick; it was in the Height of the Rains, and they were coming down very quick. As soon as the Boats were seen from the Fort of Ramnagur, I observed the People at the Ghaut, the Place where the Boats were in the Harbour, a Kind of Gut at Ramnagur, in Motion, and getting aboard the Boats with great Expedition. In short, they afterwards put Boats off with armed Men, and boarded the Budgerow and Boat; many of them were with drawn Sabres in their Hands: Several of the People in the Boat jumped overboard into the Ganges. There were some Boats belonging to myself at a little Village hard by; Pleasure Boats, Two Boats; I run down, and ordered them to put off immediately, and take up as many of the Men as they could. They brought ashore Eleven of them, to the best of my Recollection; they were most of them wounded Sepoys that had been wounded in the Morning of that Day, in the Action at Ramnagur, where Captain Mayaffre commanded, and informed me of Captain Mayaffre and Captain Doxey being killed, and the Detachment being defeated. They were Men who were in the Action, and were wounded, and put on Board the Boats. The Budgerow belonged to an European Merchant who had been up the Country with a Brigade on the Country Station, and was returning to Calcutta, and Cheit Sing's People had cut them off: They had killed all that they found on Board, amongst the Rest was this Merchant, Mr. Hooper.

Q. As the Witness has been asked respecting the Character of different Persons, I would wish to put the same Question to him respecting the Character of Mr. Hastings, as to Temper and Disposition?

A. I believe there is not a more amiable private Character in any Country than Mr. Hastings.

Q. You have said the Country of Benares was of such Extent, it might have been possible for Cheit Sing to have made Preparations for Rebellion, and made Excursions into the Country, without your knowing it. I wish to know whether any Preparations of this Sort had been carried on in the City of Benares or at Ramnagur, without your Knowledge?

A. I believe, if any considerable Preparations were made, they would have come to my Knowledge.

Q. Either at Ramnagur or Benares?

A. Yes.

Q. The Witness stated that the Boat in which Mr. Hooper was, who was murdered, contained some Sepoys that were wounded, belonging to the Detachment of Captain Mayaffre; I wish to know whether Captain Mayaffre had not attacked Ramnagur that Morning?

A. The Sepoys I picked up informed me, he had that Morning attacked Ramnagur, and was killed.

Q. You mean the Sepoys that were wounded in the Action with Captain Mayaffre?

A. Yes.

Q. (*from a Lord.*) The Witness has said, Cheyt Sing had made some Addition to the Fortification, and raised a Breast-work; I wish to know whether these Additions or that Breast-work had occasioned any Alarm in the English Government?

A. I never heard the Addition to Ramnagur made any Alarm—those at Pateeta were made after the Insurrection.

Q. Then no Additions previous to the Insurrection had given any Alarm to the British Government?

A. I believe not.

Q. If any Alarm or any Jealousy had been conceived from any such Works, should you, as an Engineer who was so near as Fifteen Miles or less to Ramnagur, been applied to on the Subject?

A. I believe if it had given any Alarm to the Government it would have been made known to me as Engineer in that Part of the Country.

Q. You was Chief Engineer there?

A. I was.

Q. Did you yourself, as a Soldier, conceive any Alarm from what you heard of at Ramnagur or Patetta?

A. I did not.

Q. (*from a Lord.*) Whether you considered the Affray that happened at Shewallah as the Consequence of the Arrest of Cheyt Sing?

A. I did.

Q. (*by a Lord.*) If Attempts appeared to you to have been made by Cheyt Sing to establish his Independence, would it have been prudent for Mr. Hastings to have proceeded to Benares in the Manner he did, without a Force sufficient to repel such Attempts?

A. I think a large Force should have been collected upon the Occasion, if they apprehended he wanted to make himself independent.

The Managers for the Commons informed the House, they should call no more Witnesses upon this Article.

Then the House adjourned to the Chamber of Parliament.

Die Veneris, 11^o Aprilis 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons they might proceed.

Then Mr. Anstruther was heard, to sum up the Evidence upon the first Article.— And having finished,

The House directed Mr. BENN to be called in again: and being called in accordingly, he was examined as follows.

Q. (from a Lord.) The Witness was asked Yesterday, whether, from the peculiar Manners of the People of Hindostan, an Arrest was not considered as more disgraceful there upon the Person arrested than it is in any other Country; and his Answer, as I recollect, was, that he looked upon it as disgraceful in any Country. Am I right in saying that was your Answer?

A. I believe it was.

Q. I will now put the Question in a different Manner. — Are you not of Opinion that Mr. Hastings's arresting Cheit Sing must have appeared to the Subjects of Cheit Sing and the People of Hindostan as a Stigma of great Disgrace?

A. No; I did not consider the Arrest of him as a Stigma of great Disgrace. If I may be permitted, I will state what I think of Arrests in general.—In India there are two Sets of Men to whom Arrests would be disgraceful: the First is a Military Man; the other, a Merchant.—In Cases of Revenue, Arrests are very common.

Q. (from a Lord.) As a Bramin or High Priest, looking upon him in that sacred Light, whether an Arrest of him, in that Situation, would not be looked upon by the Hindoos as a peculiar Disgrace?

A. I think upon a Bramin it would.

Q. Was not Cheit Sing a Bramin?

A. If you will give me Leave I will explain what Cheit Sing was.—He was the Son of a Mussul Woman, he was not a Bramin; by that Circumstance, he was not a Man of what the Hindoos call the High Cast among them: All I meant to say was, the Rule which applied to the Bramins or People of a High Cast in India did not apply to Rajah Cheit Sing.

Q. Whether, supposing him a Sovereign Prince, the Arrest upon a Person of such a Description would not be regarded by the Manners of that Country as a particular Disgrace?

A. It would be regarded as a Circumstance lessening the Authority of a Sovereign Prince.

Q. Whether the Mode of Punishment that was inflicted upon Doorgbidje Sing of depriving him of his Hooka would be considered, according to the Manners of the People of that Country, as a personal Disgrace?

A. No, it would not.

Q. State your Reason.

A. I am asked, whether, agreeable to my Sense of the Manners of that Country, it would be considered as a Disgrace.—From my Sense of the Manners of that Country, I think it would not be considered as a particular Disgrace.

Q. What were the Offences that Doorgbidje Sing had committed, for which he was imprisoned and treated in the Manner you have represented?

A. A large Balance was due to the East India Company; his first Imprisonment was for that Sum of Money due to the East India Company.

Q. Was there any other Occasion for his second Confinement?

A. That Sum not being liquidated:—There is an Account here I believe that perhaps would state the Matter more clearly than I can from Recollection, or at least I could state it more clearly if I saw that Account.

Q. The general Question put to you is, Whether, upon your Recollection of the Causes of the first and second Imprisonment, that was a Punishment too severe in proportion to those Causes, according to the Rules and Customs of that Country?

A. No; I do not think it was.

Q. Do you think he deserved Death ~~for~~ those Offences?

A. No; certainly not.

Q. What do you understand by the Word Zemindar? Do you understand a Zemindar to be a Person possessed of Land generally, or possessed of Land subject to a small Rent to the Great Mogul?

A. I understand it to be generally a Possessor of Land.

Q. Is there any Difference in the Opinion of the Natives between a great and powerful Zemindar or a smaller Zemindar?

A. The same Difference as in every other Country.

Q. The Question meant to be put is, Whether in the Nature of the Tenure there is a Difference between a great Zemindar and a small one?

A. No, I believe not; there is none that I know of.

Q. (*from a Lord.*) Whether when Rents or Revenues fall in Arrear, personal Arrests are not the ordinary Process for compelling Payment?

A. It is.

Q. Whether the Deprivation of the Hooka is not commonly the first Mode used to enforce Payment?

A. I don't believe it is at all a general one; it is a little Hardship, perhaps similar to depriving a Gentleman of his Snuffbox in England.

The Witness was directed to withdraw.

Then the House directed Lieutenant Colonel Thomas Gardner to be again called; and being called accordingly, he was asked,

Q. Whether Govind Ram was esteemed a Man of Consequence at Benares?

A. He was a Man of genteel Family and Connections.

Q. Was he a Man of Character?

A. I never heard any Thing against his Character; I believe he was.

Q. If Mr. Hastings had Reason to believe Resistance from Cheyt Sing was intended, do you not think Care ought to have been taken that the Sepoys should have been supplied with Ammunition?

A. Most undoubtedly; but that was the Duty of the military Office, and not mine, to take care of.

The Witness was directed to withdraw.

Then Mr. Burke was heard to observe upon the Evidence last given; and having finished,

The House adjourned to the Chamber of Parliament.

Die Martis, 15^o Aprilis 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, Mr. Adam was heard to open the Second Article of the Charge in Part.

Then the House adjourned to the Chamber of Parliament.

Die Mercurij, 16^o Aprilis 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, Mr. Pelham was heard to open the Remainder of the Second Article, and to observe upon the Defendant's Answer thereto.

Then the Managers for the Commons stated, that they should proceed to call their Evidence in Support of the said Second Article: Previous to which they begged leave to observe, that it was not their Intention upon this Article to confine the Evidence to the precise Order of the Allegations in the Charge.

They further stated, that in respect to the oral Evidence to be adduced upon the said Article, it was not their Intention always to examine a Witness who was called, to the Whole of the said Article of the Charge, but to such Parts only to which they should have already produced written Evidence, in Corroboration of the same, without Prejudice to the Counsel for the Defendant examining such Witness to the Whole of the Charge, if they should think proper; except as to One Witness, whose Situation made it requisite for him to be examined as early as possible, he being about to proceed to India by the next Ships.—They would therefore only first prove a Paper circulated, printed, and published, by the Order of Mr. Hastings, in the Lobby of the House of Commons, purporting to be a Second Defence relative to the Article now under Consideration; and then they would proceed to call the Witness before mentioned.

The Counsel for the Defendant desired the Managers for the Commons to favour them with the said Paper, and that if it was published by the Defendant it should be acknowledged by him.—The Paper was accordingly delivered by the Managers of the Commons to the Counsel for the Defendant, and by them shewn to the Defendant.

Then the Counsel were asked by the House, Whether they admitted that the Paper produced was a Paper proceeding from Mr. Hastings?

The Counsel for the Defendant admitted that the said Paper did proceed from the Defendant, but not with the Explanation given by the Managers, that it was printed, published, and circulated by him, or by his Order, in the Lobby of the House of Commons, and delivered to the Members as such.

The Managers for the Commons replied, that the House would be satisfied that the Explanation was correct, by the Evidence of a Witness that they would proceed to call.

Accordingly they desired that MAJOR JOHN SCOTT might be called; who appearing at the Bar, was sworn.

Then the following Paper was shewn him.

“ The Real State of the Facts contained in the Fourth Article of Mr. Burke's Charge, divested of all the extraneous Matter in which they are enveloped, may be comprized in the following plain Recital.

“ The Nabob of Oude, by the Privation of a considerable Part of his Patrimonial Estate, and the Enlargement of his Subsidy, was reduced to great and very early Distress. This I repeatedly predicted at the Time that the Majority which constituted the efficient Government of Bengal in 1775 forced from the Nabob those Conditions of the Treaty concluded with him. From the same Causes his Army, which was enormous, became disaffected, refractory, and mutinous, so as at Times to endanger his Person; because he had not the Means of paying their growing Arrears, nor of stopping the Evil by disbanding them. This threw him of course on the English Power for his Protection; and so far only was he dependent on it. Besides these Pressures, the Nabob Sujah Dowlah left him encumbered with a Debt arising from recent Engagements with the Company; and his Treasury, which might have sufficed to answer the actual Demands upon the Son, excluded from his Reach by the previous Charge of it, having been committed to Bhow Begum, the Wife of the deceased Nabob, who tenaciously retained them as her Property; nor in the Wane of his Authority, the relaxed Obedience of all Orders of his Subjects, and the Novelty of Diminution, operating upon a Mind naturally weak, and unfertile of Resources, durst he reclaim them when he might. By this Forbearance the Begum acquired the Construction of an allowed Right, of which she was of a Temper to avail herself in its fullest Extent. As she lived at a Distance from her Son, in the City which was her late Husband's Capital, and over which she had obtained an habitual Influence, this lessened the Means of Conciliation with her Son, and gave Confidence to her Uturpations. Her Stepmother, the Mother of the Nabob Sujah Dowlah, who is best known by the Appellation of the Old Begum, a Woman of a high and uncontrollable Spirit, lived in the same Neighbourhood, and always made common Cause with the Younger Begum of every Dispute in which the latter was engaged with her Son. Nor were these, though weak Women, formidable Adversaries; for they had the City at their Devotion; their personal Wealth, and the Income of their Jaghires, enabled them to keep up numerous Bands of armed Attendants; and an obdurate Perseverance, sustained by the Habit of long Indulgence, and the Consciousness of the Security which they derived from the Delicacy of Oriental Manners, more than served them in the Stead of manly Courage.

“ Such was the relative State of the Nabob Asfulph ul Dowlah and the Begums at the Time of his Accession to the Subahship in February 1775.

“ Though the Nabob dared not openly to reclaim his Treasures, he had at various Times obtained small Sums from the Begum upon Loan, amounting altogether to Twenty-six Lacks of Rupees: But being pressed for Payment of the Company's Debt, without other Resources, he applied to her for a more effectual Aid, and was refused. In this Emergency he had Recourse to the English Resident, Mr. Bristow, whom he prevailed upon, as the Resident affirmed, to be his Advocate with the Begum; and Mr. Bristow, less scrupulous than his Employer, bluntly demanded what the other had only solicited, on the Plea that the whole Wealth which she possessed was the Property of the State. After a Variety of Negotiation he at length obtained from her an Agreement to pay Thirty Lacks in Specie and Effects, on the Condition of the Nabob's granting to her an Engagement in Writing, with the Company's Guarantee, that no more Demands of any Kind should ever be made upon her; and that she should enjoy during Life her Jaghires, and all her other Estates and Possessions unmolested. An Engagement was accordingly granted to this Effect by the Nabob, expressing in it the Company's Guarantee, and a separate Engagement by Mr. Bristow confirming it.

“ This Transaction, which must have employed a considerable Length of Time, since it gave Occasion to Mr. Bristow for Two Journeys to Fyzabad, a Distance of Ninety Miles, was not officially communicated to the Board; and Mr. Barwell and myself were altogether unapprized of it, till about the 11th of November, on which Day Two Letters were read in Council from Mr. Bristow, dated the 8th and 16th of October, and detailing the Origin and Process of it to its Conclusion. In the First of these were the following remarkable Words, evidently inserted to justify his Perseverance in pressing the Begum to an Accommodation: “ It is generally believed that the Begum has Four Crores” (Forty Millions of Rupees) “ in her Possession; but I fancy I may venture to say she has One Crore and seventy Lacks;” i. e. Seventeen Millions of Rupees, or near Two Millions Sterling.

“ The Board approved of Mr. Bristow's Conduct, and confirmed the Guarantee. I certainly disapproved of both; but as I had declaredly made it a Rule to avoid interrupting the Acts of the Majority of the Council, which was the Government, by continual Dissents and Objections to every subsidiary Measure, after the primary Designs were debated and passed, I suppose it was upon this Principle that I allowed the Majority to pass their own Judgement on the Proceedings of their own Agent, without offering an ineffectual Opposition to it, except what passed in verbal Debate. Mr. Bristow had no Instructions from the Board to interfere in so delicate an Affair, much less had he Authority to pledge the Company's Faith to a formal Treaty. I was not therefore likely to approve so irregular an Assumption of a Power which did not appertain to his Office, and which should never be exercised even by the Sovereignty itself without a strong Necessity impelling,

selling, or an Object of great Benefit inducing it. I believed that Mr. Bristow had acted under secret Orders, of which it was thought sufficient to put the Result upon Record, and that not till it was finally completed. As little should I have approved of any Interference, however authorized, between the Nabob and his Mother, for the Purpose of effecting, by the Terror of the English Influence, what the Nabob had not the Courage or Inclination to attempt in his own Right. Had the Nabob himself made the Attempt, and failed, or met with such Resistance, as portended a doubtful Issue of it, he might have claimed the Assistance of our Power, by the Virtue of our new Engagements with him, and we might honourably have appeared as Parties in the Competition, whether we had Recourse to Mediation or Arms. But the Act, uncalled for by such an Obligation, or by any Provocation in which our Government had an Interest, could only tend to render the English Character odious in the Eyes of the World for a wanton Intrusion on domestic Decorum, and contemptible for the pitiful Termination of it.

“ That such were my probable Sentiments, and the Motives such as I have ascribed for my Suppression of them, will appear evident from the Minute which I afterwards delivered on the 3d of January 1776, in consequence of an Appeal made by the Begum to our Government; in which, upon a subsequent Provocation, she recited all the Grievances which she had sustained from this Exaction*. In that Minute I expressed my Regret at being compelled, by a formal Call of the Board, to give an Opinion upon a Question which I had wished to leave wholly to their Determination, as it regarded the Conduct of their own System, in which I had no Part, and upon which I knew that my Opinion would be of no Avail: and the Opinion which I proceeded to give upon the Question then before the Board will be found, on a Perusal of it, to allude to my declared Sense, though not recorded, of the original Transaction, and to contain my Disapprobation in Terms of the former Interference.

“ Mr. Bristow was right in his Assertion, that the Treasures of which the Begum was in Possession were the Property of the State. The Nabob had a Double Right to reclaim them, both as his lawful Inheritance, and as a Trust officially committed to her Custody, for which she was especially accountable to him as her Sovereign, and the Presentative of her former Sovereign, from whom she had received them. As Mr. Bristow chose to interest himself in reclaiming the Nabob's Rights, he ought to have asserted them effectually: And had he done so, the Magnitude of the Service which he would have rendered by it to the Nabob, his immediate Employer, and to the Company, who would have been eventually benefited by it, would have largely overbalanced the Irregularity of the Mode, and entitled him to Applause instead of Censure. But his Agency was as unfaithful as it was unwarranted. Acting from a Conviction that the Begum had actual Possession of One Crore and Seventy Lacks of Rupees, and declaring that every Rupee of this Sum was the Nabob's rightful Property, he demanded Fifty Lacks, took Thirty, gave her an Acquittal of all the Rest, with the Right of retaining in Perpetuity the Lands which she before held at the Nabob's Pleasure, and bound the Nabob by a written Obligation, under the Sanction of an Oath, and the Guarantee of the Company, to abide by it.

“ Whether the Justice of the Honourable House of Commons shall decree that the Government of Bengal was guilty of a Violation of the Rights of the Begum in taking from her Thirty Lacks of Rupees, which were her Property; or of a Violation of the Rights of the Nabob in depriving him of One hundred and forty Lacks, which were his Property, by guaranteeing the Possession of them to the Begum; the Members who constituted that Government are alone responsible for either Act. I had no Concern in either: For it is demonstrated by Volumes of Evidence, in the Possession of the Honourable House of Commons, that from the 19th of October 1774, when the new Government of Fort William first assembled, to the Death of Colonel Monson on the 28th of September 1776, the real and efficient Government of Bengal consisted of General Clavering, Colonel Monson, and Mr. Francis, who formed a permanent and unvaried Majority; and that the Company's Interests in the Province of Oude, and their Connection with the Nabob Asfulph ul Dowlah, were conducted in an especial Manner by that Majority alone, Mr. Barwell, the other Member of the Council, and myself, being wholly and absolutely excluded from all Participation therein.

“ In virtue of the Engagement concluded with Bhow Begum in the Manner which has been above related, she continued in the quiet and undisturbed Possession of her Jaghires and Treasures till the Years 1781 and 1782, when I gave my Assent to the Resumption of both on the following Ground and Occasion†.

“ It is well known, that by the Example, and at the Instigation of Raja Cheit Sing, the Zemindar of Benares, the Inhabitants of that District revolted from our Government, and continued in a State of Rebellion from the 22d of August to the 22d of September 1781. During this short but important Period, I was confined to the Fortrefs and Plain of Chunar, and in a Situation which, in the Apprehension of many, portended certain Destruction to myself and my small Party.

* See all the Proceedings relative to this Transaction in the “ Minutes of Evidence,” taken last Year; or in the Appendix to the Tenth Report of the Select Committee.

† I insisted upon a faithful Observance of the Engagement, however I disapproved of it originally.—The Nabob was prevented from violating the Engagement in February 1778, by my Remonstrances.—See the Tenth Report of the Select Committee, Page 4.

" The Begums of Fyzabad, prompted by their common Hatred to our Nation, and not much more affected to their own Sovereign, though he was their Son and Grandson, united their Authority and Influence to extend and aggravate our Difficulties. Circular Letters were written to the Zemindars of Oude, inciting them to Rebellion : Rewards were proclaimed for the Heads of English Officers, Soldiers, and Sepoys : A general Revolt ensued, of which their Agents were the principal Leaders, in the Districts of Goorucpoor and Barcech : The Two chief Eunuchs and confidential Servants of the younger Begum openly levied Troops in the great Square of the City for the avowed Service of Cheit Sing against the English ; and these were sent under the Name of Nejeebs to Cheit Sing, and actually employed in his Battles against us.

" These Facts have been proved by the Depositions of Lieutenant Colonel Alexander Hannay, Major John McDonald, Captain John Gordon, and many other Witnesses, taken before Sir Elijah Impey, at Lucknow and Chunar, within Three Months of the Time in which the Events had passed : And in One of the latter, namely, that of Sheikh Mahomed Aumeen Mheir, a Commandant, and the Second Officer in Command, of the Service of Cheit Sing, a List of the Troops which composed Cheit Sing's Force during his Rebellion, was delivered by him upon Oath, in which were inserted 1000 Nejeebs, or Swordmen, newly entertained from Lucnow ; which exactly corroborates the Testimony of Colonel Hannay and the other English Officers, who mention the Recruits enlisted by the Begum's Authority at Fyzabad, by the same Name of Nejeebs, the Deponent supposing them to have been sent from Lucnow instead of Fyzabad, through an evident Mistake of one Capital for the other. It is worth remarking, that these Depositions were all taken to establish a Series of Facts combined with the Rebellion of Cheit Sing ; and what they have affirmed concerning the Begums was an accessory Subject, not required for the original Purpose, though probably the most powerful in the Feelings and Recollection of the Deponents, and therefore more particularly noted in the Evidence delivered by them. This is certainly an additional Argument of their Authenticity.

" Mr. Burke, aware of the Weight of these Testimonies, has taken much Pains to discredit them, by blackening them, in his peculiar Manner, with hard and opprobrious Epithets, such as " passionate, careless, irrelevant, and irregular—consisting of Matter not fit to be deposed on " Oath," &c. and by censuring Sir Elijah Impey, the Magistrate before whom they were taken, for having therein " acted extrajudicially, and not within the Limits of his Jurisdiction ;" with other Reflections upon Sir Elijah Impey, of such a Nature, as no Man without certain Grounds ought to cast upon the Character of another. But as he has offered no Proof of these daring Allegations, and as his Depreciation of the Evidences is certainly no Argument of their Want of Truth or Authenticity, I presume that they will be admitted to establish the Facts to which they have a mutual Relation, on as ample a Conviction as if they had been delivered in every legal Form before a British Court of Judicature.—I must extend this Sentiment, by observing that I did upon this Occasion what the Law of England would have prescribed in a similar Process of its own Jurisdiction : I took the best possible Evidence that could be obtained ; and I gave it the best possible Sanction, by causing it to be taken before the First British Magistrate in India.—I was not to enquire whether his Conduct in this Instance was irregular ; nor was the Sanctity of an Oath less awful to the Minds of the Deponents, many of whom were Men of high Honour and unblemished Character, or less operative of the Truth, at Lucnow or Chunar, than it would have been if administered in the Supreme Court of Judicature in Calcutta, or even in Westminster Hall.—What a Field for Triumph and Derision should I have afforded to my Accuser, had I applied to the Magistrates of the Country for the Authentication of the Evidences ! and what a Display of rhetorical Wit might have been successfully exhibited on Names of unknown Witnesses, attested by Cauzees of uncertain Existence !

" The Evidence of Mr. Middleton and Captain David Williams, taken before the Honourable House of Commons, confirms all the material Points of the Evidence taken before Sir Elijah Impey ; and who will be so hardy as to dispute its Veracity, or the Authority of the High Court before which it was delivered ?

" At the Close of the Disturbances which had arisen in Benares, and while those excited by the Begums yet subsisted in their Neighbourhood, the Nabob Affulph ul Dowlah, who had generously, and against my repeated Instances, shewn to my Assistance on the first News of my Difficulties, solicited me to give my Consent to a Measure which he stated as necessary to enable him to provide for the Necessities of his own Government, and the Payment of his Debt to the Company, but which he could not carry into Execution without my Sanction, because it involved the Estates of Bhow Begum, who held them under a written Engagement, sanctified by the Company's Guarantee. The Measure to which I allude was, the Resumption of all the Jaghires held within his Dominions. I instantly, and without a Thought of Hesitation, agreed to it ; only requiring (as I now recollect) that the Resumption should be universal, and that it should be steadfastly and effectually accomplished. The Treaty, as it is called, was no Obstacle ; for its Obligation had already ceased with the Breach of that which appertained to the Part of the Begum. Every Engagement of a Sovereign with his Subjects must necessarily suppose the Condition of Allegiance as an Obligation on the latter, though not expressed. To express it would be to admit the Right of withholding it. The Begum had forfeited her Allegiance : She had openly excited the Subjects of her Sovereign to Rebellion ; and had engaged in Designs for the Destruction of the English Government and of its Subjects.

Was

Was I, the Representative of the Company, to exact from the Nabob, their Ally, the rigid Observance of an Engagement with a Person who had abused the Benefits conferred by it, and employed them in disturbing the Peace of his Country, and endangering the Safety of his Person and Government? Or was I, a Servant of the Company, and an Englishman, to be the Advocate for an outrageous Woman, who had sought the Ruin of my Employers, and had offered Money for the Purchase of the Heads of my Fellow Servants, and the Dependents of my Protection? No.—I thank God, mine was not a Government that held the Rod of Persecution over those who faithfully served it, for the sake of patronizing its Enemies, and the Traitors against its Authority; nor is there an Individual in either of these Characters existing, who can boast that he has intulsted the Government over which I presided, or violated its Rights, or shed the Blood of my Countrymen or Dependents with Impunity. I have understood it to be a Maxim of the Law of Nations, that all Treaties and mutual Compacts between States lose their Existence with a State of War. With a much stronger Necessity must this Rule apply to a state of Hostility between a Sovereign and his Subjects. In a Word, I regarded the Nabob's Engagement with the Begum, and the Company's Guarantee, if I regarded them at all, as become Two insignificant Shreds of waste Paper. But very different was my Opinion of their Subject, considered independently of their past Obligation. There could scarce exist a more incongruous or a more dangerous Combination of Rights under the same System of Government than a Territorial Property, and unproductive Wealth, subsisting in the Centre of a great Dominion, and though protected by it, independent of it. Such were the Jaghires and Treasures of Bhow Begum; and such, in an inferior and in different Degrees, were the Jaghires of the Old Begum and others. The Letters of Mr. Bristow, in a Period much earlier than this, are filled with Complaints and Instances of the Obstructions which the public Revenue and the Authority of Government sustained from these arbitrary Tenures; and Mr. Bristow will not be suspected of mistating Facts for the Purpose of supplying me with a remote and eventual Argument. But if such Objections existed in Speculation to the Privileges enjoyed by the Begums, with much more Conviction must they be supposed to have operated on my Mind after the Experience which I had so recently received of their Effects. I was therefore glad of the Opportunity of absolving the Nabob from the Shackles in which Mr. Bristow's Engagement had bound him, and yet better pleased that the Proposition for casting them off came from himself. I allowed myself upon this Occasion the Gratification of a Sentiment, which rarely enters, or ought perhaps to enter into, or mix itself with, the Composure of a political Measure. I yielded my Consent as much to the Gratitude which I owed and felt for the late Proof which the Nabob had given me of his Attachment, as to my Sense of public Duty.

“ But when I had proceeded so far, there I stopped. The Rigour of the Act had derived no Part of its Construction from Resentment, at least not from mine: Enough had been done for the Restoration of the Nabob's Authority, and for the Security of the Peace of his Country; enough had been done for an Exhibition of Example; and if I could have regarded Personal Punishment as an Object, enough of that End had also been accomplished in the Anguish which might have been inferred from the Disappointment of Female Vengeance and Malignity. Their Sex, and the Relation which these high Offenders bore to the Nabob, exacted from me a Respect for their Necessities, while I joined in disarming them of the Power of wronging their Benefactor. Whether the Proposition came immediately from the Nabob, or (as I believe) from myself, I cannot precisely determine; but a Provision was made for replacing their Income at the exact Rate at which it had stood on their own Estimate, while they held the Jaghires; by making it the Condition of the Resumption, that they should receive a Pension equal to the Amount of their Jaghires, in equal Monthly Payments; and these, for the fuller Security, were made payable from the Produce of the Company's Assignments.

“ At this Time no Notice was taken of the Treasures which were still retained by Bhow Begum*. As the Nabob's Requisition went no further than her Jaghire, I did not think of urging him beyond that single Point. But when the Resumption of the Treasures was suggested, not as a new and accessory Measure, but as an Exchange for that which had been already determined, I acquiesced in it in the First Sense, and encouraged the Prosecution of it, but would not allow of it as an Exchange; for after the licentious Spirit which the Begums had lately shewn, and with the Disorders which still prevailed in consequence of it, I deemed the Resumption of the Jaghires a Measure absolutely necessary to the Safety of the Nabob's Government, and eventually to the Quiet of our own.

“ As to the subsequent Proceedings, the Nabob's Change of Mind, the Reluctance and Indecision of the Minister, the Negotiations which ensued against my most peremptory Instances and Protestations, and the Conclusion forced by my own Adherence to the original Plan, I chuse to avoid a tedious and unnecessary Detail, by the following brief Explanation of my own Conduct respecting them.

* I can offer a Proof of the Truth of this Assertion, which is incontrovertible—namely, a Letter from the Nabob to me, dated Fyzabad, the 13th of January 1782, and inserted in the Tenth Report of the Select Committee. He had then claimed the Treasures, and he says, “ I have, to increase and confirm our Friendship, even done that, which was not thought of or resolved on.”

" It was ever my Rule, in all public Transactions, however I might allow myself to hesitate in forming Plans of Action, to prosecute them, when they were formed, with a fixed and undeviating Resolution to their Accomplishment. The Resumption of the Jaghires, and yet more especially the Confiscation of the Treasures possessed by Bhow Begum, were Acts of such Eclat, and of so obnoxious a Colour, as they would appear in the Eyes of the uninformed Part of the World, which could not enter into the Grounds of their Justification, but saw only the Violence without its Motive and Reparation, that I submitted, and knowingly, to a Diminution of my Personal Reputation in assenting to them. But when I had made such a Sacrifice, I was resolved that it should not be made without the Compensation which I looked for in the Accomplishment of the Object for which I had made it. Neither would I suffer my Authority to be used as a corrupted Instrument of Intimidation, for the Purpose of extorting secret and mercenary Terms for an Accommodation of Forbearance. That such were my Motives at the Time, and not now made up for the Occasion, will appear from the Letter which I wrote to Mr. Middleton on the 26th of December 1781, when I first suspected that Grounds existed for a Declaration of them, and which has been already published with other Minutes of the Honourable House of Commons.

" Upon a Re-perusal of that Part of my Defence to this Charge, which relates to the Begum's Jaghire, and the Seizure of her Treasures, and comparing it with Papers before the House of Commons, which I had not then read, I find an Inaccuracy which I now wish to correct.—I have observed, that I was indebted to Mr. Middleton for the principal Part of my Reply to the Fourth Charge; and therefore what was written in it was upon the Credit of his Recollection, not my own.

" The Fact undoubtedly is, that not only in consenting to the Seizure of the Treasures on the Nabob's First Requisition to me, on the 2d of December 1781, but in strenuously encouraging and supporting the Measure, so far as to desire Sir Elijah Impey, on his leaving Chunar in November 1781, to mention the Subject, as from me to Mr. Middleton, for the express Purpose of desiring him to converse upon it with the Nabob, and even to encourage the Nabob to make the Proposition to me, I was influenced by the Conviction which I felt in my own Mind, of the Begum's having been very deeply concerned in the Insurrection of Cheit Sing.—I had then Information before me, of the Authenticity of which I believe no Gentleman who has served in Bengal ever doubted, that they had encouraged the Levies of Troops for his Service; and Colonel Hannay, in his Letter to Mr. Middleton of the 8th of September, says, "*they had almost recruited themselves for Cheit Sing.*"—I as firmly believed, and no subsequent Information has induced me to alter my Opinion, that they excited Inturrections against their Son the Nabob Vizier, for the express Purpose of destroying our Influence and our Existence in Oude, and of overturning the Government of the Nabob.

" Though the Proposition was made to me on the 2d of December 1781, and I instantly assented to it on the Grounds above stated, yet it was not carried into Effect until the 12th of January following. In the intermediate Time (in the Course of the Month of December) the Orders of the Nabob were issued for resuming their Jaghires; and the open Resistance of their Eunuchs, Jewar and Behar Ally Cawn, on that Occasion, and their Attempts to excite an universal Revolt in the Nabob's Dominions, might have operated as an additional Motive with him for accelerating the Seizure of their Treasures*; but as far as regards myself, from the Moment I gave my Consent to the Measure, or rather from an earlier Period, from the Moment I had undoubted Proofs of the hostile Acts of the Begums at the Insurrection of Benares, I was determined strenuously to encourage and support the Nabob in a Measure strictly reconcileable to Honour, Policy, Justice, and Good Faith, so far as it respected him; but in respect to my own Government, at the Moment that we were struggling for our Existence as a Nation in India, as an Act of indispensable Duty. The Proposition for the Seizure of the Treasures unquestionably came from the Nabob. It was a Point which he then was, and had formerly been, eager to accomplish. I encouraged and strenuously supported him in it: But let it be remembered, that at a former Period, in the Year 1778, I as earnestly interfered to preserve the Begum in the Possession of those Rights, which, however impolitic it might have been to grant them originally, I deemed the Faith of our Government pledged to preserve to her, until by her own hostile Acts she justly forfeited our Protection.

" Unless the Proposition had come from the Nabob, the Measure could not have been carried into Effect; but I do not wish to screen myself from Responsibility, by disavowing any Part that I took in the Transaction, or to insinuate that I was merely passive in the Business. I meant by my Message to Mr. Middleton, that the Nabob should be informed that the Proposition from him would receive my Concurrence; and on the 27th of January 1782 I wrote to the Members of the Council my Report of the Transaction in the following Words: " This Resolution (to re-

* The Inaccuracy is in fact cleared up by Mr. Middleton's Evidence last Year, who stated that it was previous to the Resumption of the Jaghires, that it was determined to seize the Treasures. He also states, that the Determination to seize the Treasures, was in consequence of Information transmitted to me, of the Conduct of the Begums, before the Affidavits were taken; and my Letter of the 27th of January 1782, above inserted, supercedes all other Proof of it.

“ claim the Treasures) I have strenuously encouraged and supported, not so much for the Reasons assigned by the Nabob, as because I think it equally unjust and impolitic that they should be allowed to retain the Means of which they have already made so pernicious a Use, by exciting Disturbances in the Country, and a Revolt against the Nabob their Sovereign.”

“ It has occurred to me as a Question which might naturally arise out of the Subject, Why the Begums should have entertained so vehement a Hatred as that by which I have described them to have been actuated against the English Government and Nation? The Answer is obvious to those who know the History of our Connection with the Nabob of Oude. The Begums regarded us as the Oppressors of their House, and the Usurpers of its Inheritance; nor was their Resentment confined to the English. The Nabob himself had his Share in it, for the Sacrifice which he had made of the Province of Benares against the united Opposition of his Family; and the Nabob Salar Jung, the Brother of Bhow Begum, avowed to me himself, that he had from that Time withheld himself from all Concern in the Nabob's Councils; and assigned that as the Reason for it. I am sorry that I must in Truth add, that a Part of the Resentment of the Begums was, as I had too much Reason to suspect, directed to myself personally. The Incidents which gave rise to it are too Light to be mixed with the professed Subject and Occasion of this Detail; and, as they want the Authenticity of recorded Evidence, I could lay no Claim to Credit in my Relation of them. At some Period I may be induced to offer them to the World, my ultimate and unerring Judges both of that and of every other Trait in my political Character.

“ To excite the Feelings of Humanity against me, the latter Part of the Charge is swelled with a long Account of the Distresses and Miseries to which the *Ladies*, as they are termed, of the Khôrd-Mahl were reduced for Want of even Food and Raiment. If I had not been too much accustomed to similar Artifices in the Course of this Business, I should have been totally at a Loss to understand for what Purpose the Framer of the Charge should introduce such a Tale of Woe, when I had evidently no Concern either with the Sufferers, or the Causes of their Sufferings. But the Charge essentially relates to Begums in whose Complaints I certainly had a Concern. *Begums* are the *Ladies* of an Eastern Prince. But these Women are also styled the *Ladies* of the late Vizier: their Sufferings are painted in strong Colours; and the unsuspecting Reader is led to mix the Subjects together, and to suppose that these too were *Princesses of Oude*, since the Title prefixed to this Article of the Charge proposes that, and no other Subject: and that all their Sufferings proceeded from some Act of mine, or had the Sanction of my Authority or Permission. The Fact is, that the Persons of the Khôrd-Mahl (or Little Seraglio) were young Creatures picked up, wherever Youth and Beauty could be found, and mostly purchased from the most necessitous and meanest Ranks of the People for the Nabob's Pleasures. Few perhaps of these had the Honour of seeing his Person more than once; and they remained ever after the Prisoners of his Seraglio, barely subsisted and clothed. The Sum allotted by the present Nabob for their Maintenance was Forty thousand Rupees, payable by a separate Assignment on the Revenue of the District of Sultanpore. It appears that, at the Time when these Complaints are stated to have existed, the Payments having been irregularly made, the Women were reduced to Distress: But, from the Correspondence which passed on the Occasion, and which is recorded on the Minutes of the Honourable House of Commons, it will appear that the Governor-General and Council were not informed of this Distress until the Resident had obtained its Removal by a Supply of Money advanced for the Purpose. In Truth, I knew nothing of the Matter; nor, if I had known it, could I, with any Shadow of Right, or even without a gross Violation of common Decency, have made any Application to the Nabob on a Subject which was merely a Family Concern, and had no Relation to our Political Connection; though a Sentiment of Compassion would have induced me to write *privately*—certainly not *officially*—to the Resident, and recommended to him to make Use of his personal Influence for the Relief of the Sufferers.

WARREN HASTINGS.”

Then the Witness was asked,

Q. Have you seen that Paper before?

A. I have.

Q. Who printed that Paper?

A. I do not recollect the Name of the Printer; he is a Person that lives in Fleet Street. It was printed by Directions from me to him.

Q. From whom did you receive the Directions that you transmitted to the Printer?

A. From Mr. Hastings.

Q. Did you yourself circulate that Paper; or deliver it to any Member in the Lobby of the House of Commons, or in the House of Commons, upon the Day on which the Article of the Charge was opened respecting the Princesses of Oude; and, if you did, by whose Directions?

A. I think there were Fifty Copies of it printed, and of those Fifty Copies, Six or Seven were given to the Members of the House of Commons; I am not clear as to the Day; I rather think it was the Day before, not on the Day, as the Honourable Manager mentioned, of the Charge being opened. I think this was the Paper, and that I offered One of them to the Honourable

nourable Manager himself, upon my Conversation with him : But there were Two other Papers printed as well as this, to One of which my own Name was signed.

Q. You recollect that Six or Seven Copies of that Paper were delivered in the Lobby of the House?

A. I did not deliver them in the Lobby, but they were delivered by me to some Gentlemen in the House.

Q. Do you know of any other Copies of that Paper having been distributed in the Lobby of the House of Commons, besides these Six or Seven, which you yourself delivered to the Members?

A. Certainly not, for I believe the Remainder I now have in my own Possession : I believe I have at this Moment the others.

Q. I think you said One Copy of that Paper, if you recollected right, was offered to the Honourable Manager?

A. I state, that I am not perfectly clear, because there were Two other Papers printed, One of which is signed by myself; and I am not clear as to that Part, whether it was this or that I offered.

Q. Was it with the Consent or by the Direction of Mr. Hastings that these Six or Seven Copies, or any of them, were delivered to any Member of the House of Commons?

A. It was Mr. Hastings's Idea to have delivered, through me, those Papers to such Members of the House of Commons as he thought wished for Information upon the Second Charge; that is, the present Article; but there were not more than Six or Seven delivered, and I really do not recollect whether Mr. Hastings himself expressed a Desire or not to have them delivered to particular Members; I rather think he did not, and that Mr. Hastings never said any Thing more about them; that he did not limit me at all as to the Number, but left it to my Discretion.

Q. The Question put to you was, Whether those that were delivered, were delivered by his Direction, or his Consent? You said you understood it to be Mr. Hastings's Idea they were so delivered; is that the Whole that you can recollect upon the Subject, or can you recollect whether it was by his express Direction, or his express Consent, that they were delivered to such Members of the House of Commons?

A. I think it was his express Desire they should be delivered to the Members of the House of Commons, without expressing which of them.

Q. (*Cross examined.*) The Paper that has now been produced has been opened as a Contradiction to that Paper which was delivered in by Mr. Hastings at the Bar of the House of Commons as his Defence. I would address a Question or Two to the Witness respecting the Circumstances under which that Defence was formed; and I wish to ask, within what Time that Defence, delivered at the Bar of the House of Commons by Mr. Hastings himself, was composed?

A. It will be seen exactly from the Journals; I think Six Days, I am not clear whether Five or Six Days; I mean, from the Time that I presented the Petition to the House of Commons upon the Behalf of Mr. Hastings praying to be heard, to the Time that the Defence was read at the Bar of the House; and until the Commons gave their Consent to Mr. Hastings's being heard, not a Line of that Defence, I am clear, was written.

Q. Whether you mean, in the Account you have been giving, to speak of the Whole of the Defence, that is, the Paper intituled, The Defence, or of that Part only of the Defence, which is confined to this Article only?

A. I mean the Whole of the Defence, except the Answer to the Article intituled Fyzoola Khan: The Whole, except that; and that Article was not presented to the House at the Time this last Defence was put in; nor till after Mr. Hastings had had Permission to come to the Bar, or had been at the Bar, I am not clear which.

Q. By whom was that Paper composed?

The Managers for the Commons objected to this Question, as tending to discredit a Defence delivered in by the Defendant himself to the said Article upon the Charge before the House of Commons, and were heard in Support of the said Objection.

The Counsel for the Defendant were heard in Answer to the same.

After which, the Managers for the Commons, protesting that the Counsel for the Defendant had no Right to put the said Question, said, they waved their Objection.

Then the Question was read by the Clerk as follows;

Q. By whom was that Paper composed?

A. The second Article, intituled, Benares, was written by Mr. Halhed. The Introduction to the general Defence, and the Answer to the Article intituled, The Rohilla War, and to the Article intituled,

intituled, The King's Tribute, were written intirely by Mr. Hastings: And the Reasons which Mr. Hastings assigned to me, for taking intirely upon himself to answer that Article, intituled, The Rohilla War, was, that he understood from me, that in the preceding Debates in the House of Commons upon the Subject of the Article of the Rohilla War, it had invariably been stated as the most important of the Whole; another Reason that Mr. Hastings assigned for taking upon himself the Answer to that Article was, that he believed it was a Subject very little understood in England. As to the other Articles, if the Question goes to them, I believe I can state, that the Answer to the Article intituled, Revenue, was principally written by Mr. Shore. The Answer to the Article intituled, Contracts, was written by myself; and the Answers to the other Articles were written by different Gentlemen with whom Mr. Hastings was connected.

Q. (*from a Lord.*) I wish, for the Sake of the Regularity of the whole Proceedings, to know whether the Witness is speaking from his own Knowledge, when he speaks of Parts being composed by other Persons?

A. I certainly do: I speak from my own certain Knowledge: The Article, intituled, Benares, which was written by Mr. Halhed, was delivered by that Gentleman to me, and carried to Mr. Hastings, I think the Day preceding Mr. Hastings's Appearance before the House of Commons, I read it to Mr. Hastings hastily in the Presence of another Gentleman. I do not recollect that Mr. Hastings made any Alterations. I carried it back again to Mr. Halhed, who employed a Person to copy it; he sat up the whole Night in order to finish it in Time: Several Alterations were made in Mr. Halhed's Hand Writing, which Mr. Hastings never saw. Those Alterations will appear in the Original Minutes, which, I believe, are now before your Lordships: I mean, the Original Minutes that were delivered in to the House of Commons. They were in a different Hand Writing; they were in the Hand Writing of Mr. Halhed; and I can speak with Certainty, that Mr. Hastings did not see them, or hear them read, until the Defence was read at the Bar of the House of Commons.

Q. Whether you can specify the particular Alterations from Memory, that were made in that Copy, after it was read by you to Mr. Hastings?

Here the Defence delivered in *Die Lunæ, 25^o Februarij**, was shewn to the Witness, who proceeded as follows: * Vide supra, Page 17.

A. The First Passage is in the Thirteenth (a) Page of the Manuscript Copy:

“† But why did the Vizier exact 200,000*l.* on the Death of Bulwant Sing? Affuredly because, as Sovereign of the whole Country, he possessed and exercised the Right of levying Fines, and that to an arbitrary Amount, as appears by the Second Report of the Select Committee. I know not how we can deny the Existence of many despotic Principles in the Mogul System of Government; but wherever those exist, the Powers of the Prince will be every Thing, and the Rights of the Subject nothing. Shujah ud Dowlah fined Cheyt Sing 200,000*l.* and 30,000*l.* per Annum, which, at only Ten Years Purchase, is 300,000*l.*—in all 500,000*l.* for the mere Investiture of what in the Charge is stated to be his Right of Inheritance. I, who was vested by my Station with exactly the same Powers as were exercised by Shujah ud Dowlah, never thought of a greater Fine as a Punishment for the most flagrant Offences (b).” † See Original MS. P. 169.

This, is in the Hand Writing of Mr. Halhed, and was certainly inserted after Mr. Hastings saw it.

Q. Was it inserted by Mr. Halhed?

A. By Mr. Halhed.

Q. Do you mean, Mr. Hastings never saw it before it was presented to the House of Commons?

A. He never saw it before it was presented to the House of Commons.

There is a Second Addition in Page 22 of the MS.: “|| “No Sunnuds ever were sent to the Court of Directors, nor any Papers in the original Language (c).” It will appear by the Difference of the Hand Writing. || MS. P. 171.

The next, is in Page 24 of the Manuscript: The Words are, ‡ “And for that Purpose he might have had, and had, at all Times, free Access to my House and Apartment (d);” speaking, of the Vackeel of Cheit Sing. ‡ MS. P. 180.

(a) N. B. The Numbers at the Top of the MS. Copy, referred to by the Witness, are not regularly carried on, being sometimes the Number of the Sheet, sometimes of the Page, intended only for the Answer to the Third Article of Charge presented to the House of Commons, intituled, Benares, and in some Places there is no Number at all. But a running Page is preserved at the Bottom through the whole Defence, to which it has been thought proper that References should be added here for greater Convenience in examining the Original. These References are made from the *Beginning* of each Citation, and at the *End* is inserted a Direction where the Passage may be found, above, in the Defence to this Charge already printed in the Minutes of Evidence taken *Die Lunæ, 25^o Februarii 1788.*

(b) Vide supra, P. 23, Line 29.

(d) Vide supra, P. 25, Line 11.

(c) Vide supra, Page 24, Line 9 from the Bottom.

- ‡ MS. P. 186. In the next Passage there is no Mark for the Page at the Top; but the Words are, ‡ “ He who had demanded 25 Lacs for the meer Fine of Succession, and received 20 in Hand, and an increased Rent tantamount to considerably above 30 Lacs more (c).”
- ¶ MS. Ibid. There is another Addition in the same Page: The Words are, ¶ “ And as I was justified in by the Intentions of my Predecessors (d).”
- ¶ MS. P. 189. The next Addition is marked at the Top “ Page 9,” and there the Words ¶ “ Plan it. self of the Fine (e),” were inserted.
- ** MS. P. 193. The next Passage is in Page 10. ** “ Shujah ud Dowlah levied a Fine on the Death of the Father for investing the Son. Here then we have a Second Right made over, with the other Appendages of Sovereignty, to the Company. Had not our powerful Interposition prevented the Consequences of Bulwant Sing’s Treachery to his Master in 1764, Shujah ud Dowlah would probably have exerted with signal Rigour, a Third Right of fining, and have furnished me with a Precedent full in Point to my Treatment of Cheyt Sing. The Inference therefore is, that the Right of fining was general; perhaps arbitrary: but for that I am not responsible. It is a Defect woven in the Texture of the Mogul System. It will, no doubt, be most happy for the Inhabitants of Asia, when the despotic Institutes of Jengheez Khaun or Tamerlane, shall give Place to the liberal Spirit of a British Legislature; and I shall be amply satisfied in my present Prosecution, if it shall tend to hasten the Approach of an Event so beneficial to the great Interests of Mankind (f).”
- †† MS. P. 195. The next Insertion, is only of the Four following Words, “ †† Barbarous Massacre of my.” (g)
- ‡‡ MS. P. 198. The next Addition is as follows, “ ‡‡ To have me rather than the Company for its Object, at least (h).”
- §§ MS. P. 201. In Page 12 there is a further Addition, of the following Passage: “ §§ I much fear that the boasted Sovereignty of Benares, which was held up as an Acquisition almost obtruded upon the Company against my Consent and Opinion (for I acknowledge that even then I foresaw many Difficulties and Inconveniencies in its future Exercise:) I fear, I say, that this Sovereignty will be found a Burthen instead of a Benefit; a heavy Clog rather than a precious Gem to its present Possessors. I mean, unless the Whole of our Territory in that Quarter shall be rounded and made an uniform compact Body, by One grand and systematic Arrangement, such an Arrangement as shall do away all the Mischiefs, Doubts, and Inconveniencies (both to the Governors and the Governed) arising from the Variety of Tenures, Rights, and Claims in all Cases of Landed Property and Feudal Jurisdiction in India, from the Informality, Invalidity, and Instability of all Engagements in so divided and unsettled a State of Society; and from the unavoidable Anarchy and Confusion of different Laws, Religions, and Prejudices, moral, civil, and political, all jumbled together in One unnatural and discordant Mass. Every Part of Hindostan has been constantly exposed to these and similar Disadvantages ever since the Mahomedan Conquests.
- “ The Hindoos, who never incorporated with their Conquerors, were kept in order only by the strong Hand of Power. The constant Necessity of similar Exertions would increase at once their Energy and Extent, so that Rebellion itself is the Parent and Promoter of Despotism.
- “ Sovereignty in India implies nothing else: For I know not how we can form an Estimate of its Powers but from its visible Effects—and those are every where the same from Cabool to Affam. The whole History of Asia is nothing more than Precedents to prove the invariable Exercise of arbitrary Power. To all this I strongly alluded in the Minutes I delivered in Council, when the Treaty with the New Vizier was on foot in 1775; and I wished to make Cheyt Sing Independent, because in India Dependence included a Thousand Evils; many of which I enumerated at that Time, and they are entered in the Ninth Clause of the First Section of this Charge. I knew the Powers with which an Indian Sovereignty is armed, and the Dangers to which Tributaries are exposed. I knew that from the History of Asia, and from the very Nature of Mankind, the Subjects of a despotic Empire are always vigilant for the Moment to rebel, and the Sovereign is ever jealous of rebellious Intentions. A Zemindar is an Indian Subject, and, as such, exposed to the common Lot of his Fellows: “ The mean and depraved State of a mere Zemindar,” is therefore this very Dependence above mentioned on a despotic Government—this very Proneness to shake off his Allegiance, and this very Exposure to continual Danger from his Sovereign’s Jealousy, which are consequent on the political State of Hindostanic Governments. Bulwant Sing, if he had been, and Cheyt Sing, as long as he was, a Zemindar, stood exactly in this “ mean and depraved State,” by the Constitution of his Country. I did not make it for him, but would have secured him from it. Those who made him a Zemindar entailed upon him the Consequences of so mean and depraved a Tenure. Ally Verdy Khaun and Cossim Ally fined all their Zemindars, on the Necessities of War, and on every Pretence either of Court Necessity or Court Extravagance (i).”
- MS. P. 207. There is no Page marked at the Top of the next Passage; but the Words added are, “ † nominated and appointed by the Company (k).”

(c) Vide supra, P. 26, Line 4.

(d) Vide supra, P. 26, Line 13.

(e) Vide supra, P. 26, Line 15 of PART III.

(f) Vide supra, P. 27, Line 9.

(g) Vide supra, P. 27, Line 23 from the Bottom.

(h) Vide supra, P. 28, Line 2.

(i) Vide supra, P. 28, L. 37.

(k) Vide supra, P. 29, L. 19, of PART IVth and Vth.

Q. We wish it to be distinctly understood, when the Witness is reading these Alterations, which of the Alterations made upon Mr. Hastings's Copy are those that he saw and approved of, and which are the Alterations stated by the Witness as never having been seen at all by Mr. Hastings?

A. I will state it precisely as it stands: The Answer to the Benares Charge was written by Mr. Halhed. Mr. Hastings wrote the Answer to the Rohilla Charge; and gave for his Reason, That not being very well understood in England, it was of the most Importance, and therefore he took upon himself to give a full Answer to that Article. Of course, as there were but Five or Six Days to prepare his Answer to the Whole, and I think there were Twenty-one or Twenty-two Charges in all, it must have been done by different Gentlemen of his Acquaintance. I had drawn up a very short Answer to the Article entitled, "Benares": I shewed this (not by any Direction of Mr. Hastings), but I shewed this myself to Mr. Halhed, whose Abilities and Knowledge of the Country were superior to my own: He told me he would answer to that Article; and when he had finished it, he gave it to me, and I carried it to Mr. Hastings, as it stands, without the Alterations that I have read to your Lordships. I shall continue to state, till I come to the End of them, the several Alterations. I stated Mr. Hastings never having seen, nor ever having heard them read, till he came to deliver them to the House of Commons.

Q. How do you know Mr. Hastings never saw them, nor heard them read, before he delivered them to the House?

A. Because when I carried the first Draught from Mr. Halhed to Mr. Hastings, the Day preceding that upon which the Answers were read at the Bar of the House, after reading it to Mr. Hastings, I myself carried it back to Mr. Halhed; Mr. Halhed employed a Person to sit up the greater Part of the Night, if not the whole Night, to copy it; and Mr. Halhed himself told me, that he had made many considerable Additions to it, as it was originally read to Mr. Hastings. The Additions are those which I have read to your Lordships, and appear in Mr. Halhed's own Hand Writing.

Q. What became of the Paper after that Time; was it never carried to Mr. Hastings again?

A. It was finished so late, he had hardly Time to get to the House of Commons with it; there were near Twenty-one or Twenty-two Articles.

Q. Who delivered the Paper to the House of Commons?

A. Mr. Hastings himself.

Q. How long after it was returned to him?

A. I believe not more than an Hour, and I can speak positively to Mr. Hastings not having seen it.

Q. (*from the Counsel.*) Was Mr. Hastings with you during that Hour?

A. I was with him the Whole of that Hour.

Q. Must you have seen Mr. Hastings peruse it, if he had perused it?

A. I certainly must.

Q. Was Mr. Hastings limited in point of Time for delivering that Answer?

A. I really cannot exactly speak: I believe the Journals will shew that. Whether Mr. Hastings's Petition stated a particular Day, or whether the House appointed a particular Day, or asked how many Days he would want, I don't recollect: I rather think I was asked how many Days Mr. Hastings would require.

Q. (*from the Managers.*) Whether you mean to say positively, that Mr. Hastings read, as Part of his Defence at the Bar of the House of Commons, something which he had not previously read himself?

A. In so far as these Insertions are made in this Manuscript, he certainly did.

Q. This was read at the Bar of the House of Commons by Mr. Hastings?

A. It was read by a Gentleman on the Part of Mr. Hastings.

Q. (*from a Manager.*) Am I to understand the Witness to say, that Mr. Hastings read in his Defence at the Bar of the House of Commons, Facts, concerning the Truth of which, and Arguments, concerning the Justice of which, he knew nothing at all?

A. I think the Honourable Manager asks me to a Fact that, in another Place, I believe I stated precisely so.

Q. Are there any other Passages than those you have now mentioned, that were added?

The Managers observed, that the Witness had not answered the Question.

A. I think I have gone through the Paper completely: I don't see any other Additions.

Q. You should answer the Question now put; that is to say, Whether upon the Matter you have now delivered, Mr. Hastings did or did not read, as a Part of his Defence in the House of Commons, Facts of which he knew nothing, and Arguments, the Justice of which he had not considered?

A. I

A. I would wish to state to your Lordships, that in so far as there are any Passages here which I have read, he certainly did; and if I may be permitted to state my Information, as far as I myself am concerned, I beg your Lordships' Indulgence to do it:—In the Course of the Debates preceding the present Impeachment, some Stress was laid by the Honourable Manager on a certain Passage of one of these Answers. I did in my Place myself state, that I might perhaps prove Mr. Hastings guilty of some Disrespect, when I stated to the House of Commons a Fact, which would certainly exonerate him from every Purpose of Misrepresentation; namely, that the Passage which was so animadverted upon in the House of Commons was not written by Mr. Hastings, but written by me.

Q. The present Question is, whether the Alterations you have read do not contain both Facts and Arguments, which were inserted after Mr. Hastings saw the Paper?

A. I think they certainly do, both Facts and Arguments.

Q. Whether when Mr. Hastings saw those Passages afterwards, he expressed any particular Disapprobation of them?

A. I can say positively that Mr. Hastings did.

Q. Was there any Petition from Mr. Hastings to the House of Commons, or otherwise, to give him more Time for his Defence—Any Application from Mr. Hastings for a later Day?

A. Mr. Hastings did not make any Application; but I believe I can state to your Lordships the Reason why no Application was made for a longer Time. A very few Days after the Original Charges, which were brought against Mr. Hastings, were delivered to the House of Commons, they were reprinted, and publickly sold, I believe, throughout the Kingdom: As Mr. Hastings conceived that those Charges contained many Assertions which were likely to injure him in the publick Opinion, he certainly was very eager to produce a Reply to them; and upon the Opinion of his Friends that the Rohilla War was the most important, Mr. Hastings certainly, to my Knowledge, was not so anxious as to the Mode adopted in answering the others; it being supposed the main Stress of the Question would turn upon the Rohilla War.

Q. The Question proposed to you was, Whether Mr. Hastings, by Petition or otherwise, applied to the House of Commons for a longer Time to put in his Defence?

A. He did not. I meant to give that as a Reason why I thought he did not.

Q. I wish the Witness to be asked, whether, when Mr. Hastings expressed his Disapprobation at the Interpolation of the Passages alluded to, he did not know that these Passages stood upon the Journals of the House of Commons as Part of his Defence?

A. I think he certainly did—most undoubtedly.

Q. Did he take any Measure to have those Parts he objected to, retracted?

A. No.

Q. All the Passages which the Witness alludes to, I am to understand, were either read by Mr. Hastings, or in his Presence, at the Bar of the House of Commons?

A. They were.

Q. Did not Mr. Hastings, subsequent to the reading them himself, or having heard them read, desire them to be entered upon the Journals, as his Defence?

A. Not that I recollect. Mr. Hastings said this, I believe: I desire to have them read, and I wish to have them made as public as possible, undoubtedly.

Q. The Question is, whether Mr. Hastings desired to have them put upon the Journals of the House of Commons?

A. Not that I recollect in those Terms: I think it is very probable. I moved to have them printed.

Q. It is in Evidence that he did, and that he did it, not upon the Day upon which he heard it read, but upon the Day after?

A. It took two Days to read the various Answers; they were not all done in one Day.

The Managers for the Commons were asked, Whether the Defence would not have been put upon the Journals of course, if the Defendant had not desired it?

The Managers for the Commons answered, That was a Question they would rather decline answering.

Q. (*by a Lord.*) I understand the Witness to say, when this Paper was carried to Mr. Hastings, he had it for One Hour; and I understood the Witness to say, he carried it to him. Now I wish to ask the Witness, when he carried this Paper the second Time after those Alterations were made by Mr. Hulhed, whether the Witness did or did not inform Mr. Hastings that any such Alterations had been made, or that any Alterations had been made?

A. I certainly did not; and I would wish to repeat to your Lordships, that he did lay the whole Stress of the Business upon the Rohilla War at the Time.

Q. You did not write any Part of that?

A. I did not. I certainly did not; and that was the Reason why I was careless about it.

Q. Was

Q. Was you, or not, with Mr. Halhed when he sat up all Night ?

A. I believe I stated, or meant to state, when Mr. Halhed came to me the Morning of the Day when those Answers were read at the Bar of the House, Mr. Halhed told me he had sat up all Night, or the greatest Part of the Night, with a Writer, a Stationer, to copy the Paper now produced before your Lordships, and that he had added in his own Hand the Passages I have mentioned.

Q. The material Question is—What Instructions had Mr. Halhed, and from whom, to make those Alterations ?

A. No Instructions of any Kind.

Q. How do you know he had no Instructions, as you were not present ?

A. To that Fact I can certainly speak no farther than from my own Knowledge—I neither know nor believe he had any Instructions.

Q. That is, you do not know of his having any Instructions ?

A. I do not know of any—I know that Mr. Hastings was himself very busily employed at the Time, and did confide in Mr. Halhed to answer the Benares Charge.

Q. Whether Mr. Hastings, to your Knowledge, ever saw that Defence after its being read in the House of Commons, and prior to its being printed ?

A. I believe he did ; I think Mr. Hastings and I went together to Mr. Benson's Room, where we saw the Papers ; there were either Twenty-one or Twenty-two Charges, and they must have been seen with the others ; but we were not there Time enough to make any Alterations, nor should I suppose it was in Mr. Hastings's Power to make any Alterations in any Papers that had been given in.

Q. Did Mr. Hastings, at the Time when the Witness says he went with him to Mr. Benson's, express any Wish to alter any Part of the Defence, if it had been in his Power ?

A. I recollect perfectly well, Mr. Hastings's stating that there were Parts which he did not like, and mentioning Parts of the Benares Article which he did not like ; and a particular Expression in another Article which he said he did not like. The particular Expression in that other Article, which he said had hurt him very much, was “ an unfortunate Minister.”

Q. Do you recollect any other Objection Mr. Hastings made at that Time ?

A. No : Mr. Hastings said generally, there were other Parts he did not like, without specifying what those other Parts were.

Q. Did Mr. Hastings express any Wish that any Application should be made to the House to have any Part altered ?

A. None that I know of.

Q. Whether you had heard the Alterations made by Mr. Halhed antecedent to your delivering it back to Mr. Hastings, and its being read in the House of Commons ?

A. I did not ; but I am not positive : I am not clear whether Mr. Halhed himself did not read One of those long Notes to me ; I rather think he did ; and I had taken upon myself to answer, I think, Three or Four of the Articles, and mine were not ready till just before I went down to Mr. Hastings.

Q. (*from a Lord*). Whether, when that particular Alteration was read in the House of Commons, in which Alteration there is a very particular and pointed Reference to what Mr. Hastings himself had done upon a former Occasion, (I cannot recollect the Words), where he says, it was to those Principles that I alluded in the Minute that I gave in ; whether Mr. Hastings did at that Time, or at any subsequent Time, express a Disapprobation of that, as having imputed to him Allusions and Principles, that is, Allusions which he did not make, and Principles which he did not avow ; do you remember that Alteration which the Passage refers to ? Do you remember the Passage ?

A. I do.

Q. Did Mr. Hastings observe upon that Passage, that he was dissatisfied with having been understood to make Allusions which he did not make, and to assert Principles which he did not avow ?

A. No. I think his Expression was, “ There were Parts of the Benares Answer which I do not like ; ” I think that was the only Observation ; I think so, I am not clear. Mr. Hastings has since mentioned one particular Part very lately.

Q. (*from a Lord*). The Witness has told your Lordships that the different Answers to the different Charges were prepared by several of Mr. Hastings's Friends ; the Question I wish to ask is, Whether such Answers were prepared intirely from what suggested itself to their Imagination, or from Materials and Instructions furnished by Mr. Hastings ?

A. By no Instructions furnished by him, to my Knowledge, and, I think, I must have known of them, if there had been any.

Q. Whether, when you applied by Petition for Mr. Hastings to be heard in the House of Commons, you yourself did not name the Day upon which you wished Mr. Hastings to be heard ?

5 B

A. I

A. I think I stated the Day; I believe the Journals will shew it: I do not know that I did, but I think I did.

Q. Whether Mr. Hastings, or, to your Knowledge, some Friends for him, have not sent out to India a considerable Number of Copies of the printed Defence of Mr. Hastings, put into the House of Commons as his Justification?

A. Not to my Knowledge. I have sent out a great Number of Papers; an Account of every Thing that has arisen for and against Mr. Hastings, but not with the View the Honourable Gentleman mentioned.

Q. But, with or without that View, have any of those Copies been sent out with the Knowledge, or by the Directions of Mr. Hastings?

A. Not by the Directions of Mr. Hastings.

Q. But with his Knowledge?

A. Not with his Knowledge. I desire not to confine it to one Side of the Question; I have sent out several Copies of every Thing.

Q. But by his Directions?

A. Certainly not.

Q. Mr. Halhed and Mr. Shore, you said, had a considerable Share in composing this Defence; where are those Gentlemen now?

A. Mr. Shore is a Member of the Supreme Council of Bengal at Calcutta; Mr. Halhed is gone abroad in Consequence of the Death of his Father-in-law, and Mr. Hastings has written to him, requesting him to be here in the Course of this Trial, as he shall want him as a Witness, which he has promised to be.

Q. What other Person to your Knowledge had seen the Paper, called, The Defence, before its being read in the House of Commons.

A. I really cannot state any Gentleman, to my Knowledge, who has seen the Whole; but I can state those who have written Parts of it.

Q. Who are they?

A. Mr. David Anderson.

Q. What Part did he write?

A. Mr. Anderson wrote the Answer to the Charge, intituled, The Ranna of Gohud, which, I believe, is not before the House.

Q. Any other Person?

A. Mr. Baber.

Q. Any other Person?

A. Mr. Markham.

Q. Any other Person?

A. Mr. Middleton. I do not immediately recollect any other Person; but there certainly must have been others.

Q. Do you recollect any Member of the House of Commons?

A. No. I do not: And I think I can take upon myself to say, no Member of the House of Commons, or any other Gentleman, except myself, saw the Answer to the Article of Benares.

Q. I mean any Part of the Defence at all?

A. No, I do not know.

Q. Do you know whether any Member of the other House of Parliament saw any Part of his Defence?

A. I believe not.

Q. You do not know that any Member of the other House of Parliament saw any Part of his Defence?

A. I do not take upon myself to speak positively: I am not certain by any Means.

Q. I wish the Witness to speak positively, whether he does not know some Members of the House of Lords saw that Defence?

A. I do not, nor do I believe they did: I think it exceedingly probable some Members of the House of Commons, being very well acquainted with Mr. Hastings, might have seen it.

Q. Whether the Paper delivered in, called "The Second Defence of Mr. Hastings," was composed by Mr. Hastings in the Whole, or in Part, or by any other Person, and by whom?

A. I believe there was One Paragraph that I wrote, but I really cannot be positive which it was.

Q. I wish the Witness to point out that Paragraph, if he can, by looking at the Paper. I would wish to know the Distance of Time between preferring the Charge and the Defence, properly called, the Defence in the House of Commons, and the Time of circulating the Second Paper?

A. I

A. I fancy Nine or Ten Months ; it was in the following Session. The Original Charges were delivered in One Session, and this Paper was given in by him some Day, in the Month of February, in the following Session, which must have been Nine or Ten Months after.

Q. Whether the Witness considers that Defence also to have been written in a Hurry, without due Preparation and Deliberation ?

A. It was certainly written in a great Hurry, because, I believe, Mr. Hastings had no Idea of writing till Ten or Eleven o'Clock in the Morning, and it was finished by Four or Five o'Clock in the Evening of the following Day, and carried by me to the Printer.

Q. Whether the Witness means to distinguish any Passages in this Defence, which, upon the Ground of Hurry, they mean to object to as Evidence ?

A. It is impossible for me to distinguish what they mean to object to as Evidence.

Q. Are there any particular Passages in this Defence which were wrote in a Hurry, which you think less worthy the Attention of the House ?

A. It would be Presumption in me to answer that Question.

Q. (*from a Manager.*) Are there any particular Passages more remarkable than the rest, which you think the Effect of Hurry ?

A. I have not read that Paper for a Year and a Half, and I don't think I could recollect a Word of it now ; there is one Paragraph written by myself, and I protest I don't think I could find it out.

Q. How came you to be able, so accurately, to distinguish a Part written by yourself in the First Defence, and to have no Recollection of that which was written by yourself in the Second ?

A. I think I have stated, that in the First Defence I took upon myself One intire Article, and answered it ; and it was natural that some Impressions might have been upon my Memory of it : But with respect to the others, I do not know where to find them ; subsequent to that Period I paid no Attention to them. The Moment I saw Mr. Hastings's Name at the Bottom, I perfectly recollected it was a Paper I had written.

Q. (*from a Manager.*) Whether you have any Recollection that the Passage I shall now read was written by Mr. Hastings, or by any other Person ; viz.

“ Preface to the Fourth Charge.

“ Before I proceed to reply to the Charges respecting my Conduct to the Begums, and on the Affairs of Oude, I must observe, that they contain Particulars of which I was ignorant until I read them in the Charges ; I am therefore very much indebted to the Assistance of Mr. Middleton, and to the Information of Gentlemen who were in Oude when the Transaction alluded to happened. By their Aids I have been enabled to reply fully to these Charges ; and every Assertion in my Reply is capable of Proof either by Documents now before this Honourable House, or by Evidence ready to be produced at its Bar.”

A. I will not speak positively—I cannot pretend to say directly—but I believe that was written by myself, by Mr. Hastings's particular Directions. If your Lordships will give me leave I will state the Fact : When Mr. Hastings read over the Article intitled, The Begums of Oude, he told me there were many Particulars which he had not read, and particularly that Story about the Khourd Mahal. I applied to Mr. Middleton from Mr. Hastings, and got from him the Materials, upon which the Answer to that Article was drawn up : and I believe Two or Three Writers in my House copied that with the Corrections I had put to it as it came from Mr. Middleton, and I carried it to Mr. Hastings afterwards.

Q. Then Mr. Hastings, as we understand, saw the general Defence of that Article of Oude before it was read to the House. When did Mr. Hastings first of all see that Answer so formed by you ?

A. I think either One or Two Days before it was delivered in.

Q. Then, was it not after Mr. Hastings saw the general Article, that he directed you to prepare this Introduction ?

A. The Article of the Defence or Charge ?

Q. The Article of the Defence. Was it after Mr. Hastings had seen the general Article of Defence, that he directed you to prepare this Introduction ?

A. I cannot speak positively, but I think it must have been afterwards.

Q. Then, Mr. Hastings saw the Defence after it was finished by Mr. Middleton ?

A. I think I read it to him myself.

Q. That was before this Introduction was written ?

A. I think so.

Q. He then directed you to insert in this Introduction, “ that by these Aids I have been enabled to reply fully to these Charges ; and every Assertion in my Reply is capable of Proof.” Was that the Insertion you were directed to make, after Mr. Hastings had seen the Article so drawn ?

A. Certainly

A. Certainly not the Passage as it has been read, but it was left to me to draw it up.

Q. What were the Instructions of Mr. Hastings?

A. The Instructions of Mr. Hastings were, that as the Articles intitled "Begums," "Bulbudder Sing," and "Farrackabad," contain many Particulars that I don't know, he said, I think it right to say, I am indebted to others for the Account I have given.

Q. Was that the Whole of your Instructions, according to your Memory?

A. According to my Recollection, it was.

Q. Did you not read the Introduction to Mr. Hastings, after you had drawn it up?

A. I think I did—I have no Doubt of it.

Q. After the Time of your having read that Introduction to Mr. Hastings, do you recollect whether he added any Thing to the Defence?

A. There is a particular Passage, which I am clear must have been added by Mr. Hastings. The Passage I was going to read to your Lordships was added by Mr. Hastings: "I have conducted the Narration of the preceding Detail to its Close, without chusing to interrupt it, or to disturb the Attention of my Honourable Hearers, by the concluding Observation which I now think it necessary to make upon it—because I held the whole Series of the Acts thus connected strictly reconcileable to Justice, Honour, and good Policy, whoever were the Parties concerned in them; but I must at the same Time affirm, that these Acts, whether right or wrong, are not mine, though originating from me, in my Consent yielded to the Nabob, at his special Instance, that he should reclaim the Treasures kept back from him by his Mother, and the Jagheers from all the Jagheerdars; and from my subsequent Claim, which I avow to have been most peremptory, that my Consent to a Measure liable to such a Variety of Constructions, should not be perverted to an Instrument of private Compromise, or the Consistency of my Character forfeited by its being withdrawn, after such rigorous and public Denunciations of it. My last Orders therefore for its Execution * is all that I am answerable for: The Rest depended upon the Instruments which were employed in it, and so little on myself, that I was ignorant of the whole Mode of its Execution till it was done, and so far as I am concerned in it, the whole Board were equally concerned and unanimous." That, I can take upon myself to say, was added by Mr. Hastings himself, after I had read the other Part.

* Sic in Orig.

Q. Was it added after you read the Whole of the Introduction, as well as the rest?

A. Yes. I beg Leave to correct myself: I cannot speak as to whether after the Introduction.

Q. After this Clause was added by Mr. Hastings in this Defence, were any further Additions or Alterations made?

A. I believe not: Not that I know of.

Q. Whether you know at what Time the general Introduction to the Whole of the Defence was written?

A. The general Introduction was written by Mr. Hastings, I think, Two Days after the Commons had permitted him to be heard; and, I think, the remaining Three Days were employed by Mr. Hastings in answering the Rohilla War, and the Article intitled, The King's Tribute: Mr. Hastings assigning as a Reason why he answered the Article intitled, The King's Tribute, that there was an Allegation in that Article, that the East India Company, by not paying Twenty-six Lacks to the King, had forfeited all their Right to the Possession of India; which seemed to him a very extraordinary Allegation; and he meant to defend them.

Q. Then upon the main Question you say, that the general Introduction was written by Mr. Hastings Two Days after Leave had been given him to make his Defence before the House of Commons; and Six Days were given him for that Purpose?

A. I think so; I think it was Two Days afterwards; I was busily employed myself in the Part I had to do.

Q. As near as you can recollect?

A. Yes.

Q. Whether you recollect that in the Preface to the Defence, an Allusion is made to the last Article of the Charge?

A. I rather think the Honourable Manager must have been mistaken, that is, with respect to Fyzoola Khan: There is with respect to some Answers; I don't know them all: But that was given in subsequent to the Time Mr. Hastings desired to be heard. Mr. Hastings had but a short Time to answer the Charge respecting Fyzoola Khan; he had some Time to prepare that Article, as it contained a great Variety of Allegations.

The Managers for the Commons stated, that they would now read the Passage, to convince the House that Mr. Hastings was perfectly aware of that Charge; that he declared himself equal to the Task, that he took the whole Defence upon himself, and that he disavowed all Errors that might be found in it.

Then the Managers for the Commons read the Passage, as follows †.

“ Pressed by the Load of Slander thus heaped upon me, I resolved to try the only Resource which afforded me a Chance of Redress; and in Opposition to many and weighty Discouragements, I threw myself upon the Justice of this Honourable House, and petitioned to be allowed to make my Defence in Person, and I succeeded. Whether I owe this Indulgence to your Goodness or your Justice, I accept it with equal Gratitude.

† Vide this Passage, Par. 3, P. 19, supra.

“ Of the Discouragements to which I allude, I shall mention but Two Points, and these it is incumbent on me to mention, because they relate to Effects which the Justice of this Honourable House may, and, I trust, will, avert. The first is an Objection to my being at all personally committed in my Defence, since, in so wide a Field of Discussion, it would be impossible not to admit some Things of which an Advantage might be taken to turn them into Evidence against myself: Whereas another might as well use as I could, or better, the same Materials of my Defence, without involving me in the same Consequences; but I am sure that this Honourable House will yield me its Protection against the Cavils of unwarranted Inference; and if the Truth can tend to convict me, I am content to be myself the Channel to convey it.

“ The other Objection lay in my own Breast. It was not till Monday last that I formed the Resolution, and I knew not then whether I might not in Consequence be laid under the Obligation of preparing and completing in Five Days, and in effect so it has proved, the Refutation of Charges, which it has been the Labour of my Accuser, armed with all the Powers of Parliament, and at one Time greater, to compile during as many Years of almost undisturbed Leisure; but I knew myself equal to the Undertaking, and I now only revert to my Difficulties, that the Consideration of them may bespeak the candid Allowance of this Honourable House for any Inaccuracies, or for any Thing defective, which may appear in my Defence, but I claim no other Indulgence on this Account.”

Then the Witness was asked,

Q. Whether Mr. Hastings wrote that Paragraph?

A. I believe he wrote the Whole of that Introduction; and the Whole of the Article intituled, The Rohilla War.

Q. Who drew the Answer intituled, Contracts and Encrease of Establishments?

A. I did.

Q. Who drew the Answer to the Article intituled, Receipts and Presents?

A. I believe I drew a Part of that, and I think the rest was drawn by Mr. Baber.

Q. Who drew the Answer to the Article intituled, Resignation?

A. Mr. Halhed, I believe; and there are some Passages in that, which I myself put in.

Q. Who drew the Answer to the Article intituled, Misdemeanors in Oude?

A. I drew that, from Materials given me by Mr. Middleton.

Q. Who drew the Article intituled, “ Fyzoola Cawn?”

A. Mr. Hastings; I believe I mentioned that before.

Q. Whether those Articles were shewn to Mr. Hastings before he produced them at the Bar of the House of Commons?

A. Every Article was shewn to Mr. Hastings. I believe they were read by me, but read in a very cursory Manner, upon Account of the Shortness of Time; and I believe they were all in my Possession till they were put in to the House of Commons.

Q. Were there any Insertions in any other Articles, except the Article, Benares, subsequent to Mr. Hastings' View of them?

A. I recollect an Expression that was put in by myself, which was meant to be expunged, but by Accident it was not; which Mr. Hastings lamented.—I think it is in a Comparison between the enormous Expences incurred by the late War in this Country, and the trifling Expences incurred in India. In that Passage there is this Expression, “ by an unfortunate Minister;” Mr. Hastings objected to that, and it was left in by Mistake.

Q. The Witness has said, the Answer to the Article intituled, The Begums of Oude, which is the present Charge, was composed by Mr. Middleton and others; I wish to know from him, who else was concerned in drawing up that Answer?

A. I don't recollect I said, others—I said Mr. Middleton gave me the Materials, and from these Materials I drew it; and I had some Writers in my own House that copied them—Mr. Middleton gave me the Materials for that—I drew that, and the Article intituled, Bulbudder Sing.

Q. Who drew any Paragraphs in the Article intituled, Bulbudder Sing, I mean the Rajah of Sahlone, besides yourself?

A. I drew it—I beg Pardon,—I do not know whether it was Mr. Middleton or Mr. Gilpin who furnished the Materials; I think it was Mr. Gilpin.

Q. Whether the Articles of the Charge were not printed a long Time before Mr. Hastings produced his Defence in the House?

A. I think I have stated, that in consequence of their being printed and sold in Pamphlets, at Half a Crown each, I made an Application to the House for Mr. Hastings to make his Defence.

Q. How long were they printed before the Order of the House was made for Mr. Hastings to put in his Defence?

A. The Journals will shew that; whether it was a Month or Six Weeks I do not know.

Q. What hindered Mr. Hastings from preferring his Defence before that Time to the House?

A. I believe Mr. Hastings hoped a speedy Question would have been earlier put; and when he found there was no Probability of that being done, he felt uneasy: During the remaining Time, when I speak to Five or Six Weeks, I speak from Memory only.

Q. What Reason had Mr. Hastings to know or to suppose, that a speedy Question would be put upon the Articles?

A. I cannot tell what Reason: I thought at the Time there would; and probably he got his Ideas from me, as I was in the House.

Q. Whether there was any Act of the House which precipitated Mr. Hastings with regard to his Defence?

A. None; but the Session was advancing, and Mr. Hastings was apprehensive it would be continued another Session; and if Mr. Hastings was in a Mistake, he was in a Mistake in common with all the World, that the Rohilla War would determine the Whole.

Q. What Steps did Mr. Hastings take when he found the Business going on in the House of Commons, to undeceive the House with respect to the spurious Defence he put in?

A. I believe I have answered that.

Q. Do you know of any Reason he had for not taking any Step of that Sort?

A. I really do not know.

Q. I will ask a Question merely to ascertain the Degree of Labour that was necessary to draw these Answers. I wish to ask, Whether the Answer to several of the Articles was not copied verbatim, or nearly so, from the Minutes of the Council, in the Year 1774 and 1775, at Calcutta, in which his Conduct had been arraigned by a Majority of the Council?

A. I should suppose the Honourable Manager means, in the Article intituled, The Rohilla War.

Q. I mean all of it?

* Vide the Article intituled, The Rohilla War, in the Defence at the Bar of the House of Commons.

A. There is a considerable Part of One of the Answers, * in which Mr. Hastings inserts a Copy of a Minute made at Calcutta, but the Answer is certainly very long, independant of that; a very long and full Detail.

Q. (from a Lord.) You say the Defence in the House of Commons took up Two Days in reading; Did Mr. Hastings, during the reading upon those Two Days, make any Objection to the Passages altered by Mr. Halhed?

A. He made no public Objection—I was not near Mr. Hastings at the Time—I was in my Place in the House, and therefore I cannot tell.

Q. (from a Lord.) Was not the Charge of Benares read the First Day?

A. The First Day—the First Thing read was the General Introduction; then the Rohilla War; then the King's Tribute, and then the Article, Benares.

Q. (from a Lord.) The Witness has stated that, at First when this Defence was made upon the Benares Article it was carried to Mr. Hastings,—I am speaking now of the First Time when it was carried; I wish to know in whose Hand-writing that Draft was—by whom it was wrote?

A. The original Draft was in the Hand-writing of Mr. Halhed, who himself wrote it.

Q. I wish to know who the Clerk was that made that Copy?

A. I do not know the Name of the Person, but I can learn his Name, and he can be produced—he is in this Town—he was a young Man patronized by Mr. Halhed, and I can learn his Name.

Q. (from a Lord.) The Witness has stated, that after the Defence had been under the Consideration of Mr. Hastings subsequent to the Time of its being printed, Mr. Hastings said to the Witness that there were some Parts of the Benares Business which he disliked; and took Notice of the Words "Unfortunate Minister," which he wished had not been in it; I wish the Witness to be asked, Whether Mr. Hastings, after he had had that Consideration of the Defence, observed, to the Knowledge of the Witness, that there was any Fact untruly stated in the Defence?

A. I do not recollect that he did; I rather think not.

Q. Whether (always speaking to the same Period) Mr. Hastings observed, to the Knowledge of the Witness, that there was any Principle laid down in that Defence which he disclaimed?

A. Not at that Time: But I would wish to mention One Thing as a Reason that probably prevented a great deal of Discussion, That Mr. Hastings did think, in common with all the World, that the only Question was the Question of the Rohilla War.

Q. The Witness mistakes the Time : The Time I speak to is after the Publication of the Defence. The Witness has said, that there was something in the Benares Article, particularly these Two Words, " Unfortunate Minister," which Mr. Hastings disliked.—Whether he then said to the Witness he disclaimed them ? Whether at any Time he recollects Mr. Hastings disclaimed any of the Principles of Argument laid down in his Defence ?

A. He did not at first ; but if your Lordship means, by at any Time, from what has happened lately, I have certainly heard Mr. Hastings mention his Disapprobation ; but these Words, " Unfortunate Minister," are not in the Benares Charge, but in another.

Q. You have told the House, That there were various Passages interpolated in his Defence, of which Mr. Hastings had no Knowledge ; some containing Facts, and some Arguments, which he disapproved : Do you know whether he has ever disclaimed any of those Principles advanced by Way of Argument ?

A. Mr. Hastings has, since the Business has been before your Lordships, but not before, in Conversation declared, he never could, if he had read it, have allowed any Expression to pass that could have been construed into an Idea of his having entertained any personal Animosity against Cheit Sing ; he said positively, he was sure he had not seen it.

Q. That is rather a Fact : I will repeat the Question again. You have mentioned there were many Passages, some consisting of Facts alledged, some of Grounds of Argument ; the Question now put to you is, Whether Mr. Hastings has, in any Conversation with you, disclaimed any of those Principles which are stated in the Defence as Grounds of Argument among those Passages interpolated ?

A. No ; except that particular Expression, " Cheit Sing to have me rather than the Company for its Object at least," that seemed as if it was personal to him ;—he disclaimed that.

Q. Then, in point of Fact, you do not remember his making any Objection to any other Parts of it ?

A. No, except that general Expression, that there were many Parts he disliked.

Q. To put the Question more correctly, Whether Mr. Hastings has at any Time disavowed any of the Motives of his Conduct stated in his Defence ?

A. Not as I recollect in Terms, except generally, that there were Parts which he disliked.

Then the Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

Die Fovis, 17° Aprilis 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, that they might proceed with their Evidence.

The Managers for the Commons stated, that the Points which the First Witness they meant to call would speak to, were, First, to what they conceived to be the real Cause of the Disturbances in Oude, and particularly in the Provinces of Baraitch and Goruckpore; Secondly, To the Subjection of the Nabob; and Thirdly, To prove it perfectly impossible but that Mr. Hastings must have been apprised of all the Transactions going on at Lucknow in the Years 1781 and 1782.

The Counsel for the Defendant requested the Managers for the Commons would have the Goodness to state to what Charges, besides the Charge now before the House, this Evidence was meant to be adduced, the Disturbances in Baraitch and Goruckpore making a distinct Article of Charge.

The House informed the Counsel for the Defendant, that the Managers for the Commons had explained the Points to which they meant to examine the Witness about to be called. The only Question therefore was, Whether he should be called at all? Consequently this was not the Time to make an Objection; but if any should arise in the Course of the Examination, that would be the proper Time to make it.

Then ROBERT HOLT Esquire, was called; and being sworn, was examined as follows:

Q. At what Time, and in what Situation was you in the Company's Service in India?

A. I was appointed in the Year 1778 in the Company's Service, and in the Year 1779 Assistant to the Resident at the Vizier's Court.

Q. When was you appointed Assistant to the Resident?

A. I am not certain whether it was in the Year 1779 or in 1780.

Q. In the latter End of the Year 1779 or in 1780; Is that the Account you mean to give of your Appointment to be Assistant to the Resident at the Vizier's Court?

A. Yes; somewhere thereabouts, I am not perfectly certain.

Q. Under what Resident was you employed; whether under one, or more than one?

A. I was employed first, under the Residency of Mr. Purling; then, under Mr. Bristow; then, under Mr. Middleton; and then, under Mr. Bristow again.

Q. I wish the Witness to speak to the State of Oude during that Period as fully as he can?

A. Before I answer that Question, I could wish to communicate something to your Lordships; I hope I shall not be deemed guilty of any Impropriety or Disrespect to your Lordships, if I take the Liberty of stating, that I believe I shall be more able to answer that Question to the Satisfaction of every Body, if particular Questions are put to me instead of general Questions: My Abilities in Language, I apprehend, will not be sufficient to a Task so arduous as speaking of the general State of a Country.

Q. Then, instead of having so general a Question put to you, as that relative to the State of Oude, you wish that particular Questions may be put to you upon that Subject?

A. Yes.

Q. Whether you had any Opportunity of knowing, that during the Time of your Residency in that Office, the Revenues of the Country were considerably, or in what Degree, diminished?

A. I have ever understood they were considerably diminished.

Q. Had you any Opportunity of knowing it?

A. Merely from Report.

Q. Whether the Witness knows they were assessed at a much lower Jumma, or Rate, than formerly?

A. I have only heard so.

Q. Had you any, and what Reason to believe that that Report was ill founded ?
A. None.

Q. From your Observation of the Face of the Country, had you any Reason to think that that Report was ill founded ?
A. None.

Q. Whether you had any Reason, from any Thing that happened in your official Experience, to believe that Report was ill founded ?
A. None.

Q. Have you any Reason, from your Knowledge of the Country, or from what came to your Knowledge in the particular Department of the Revenue, or from what came through your own Office as Resident, to believe it was well founded, and if you have, state that Reason ?

A. I have no other Reason, but only what I have heard. I speak only from what I heard.

Q. Speak to what you know yourself relative to the Administration of Colonel Hannay in Baraatch and Goruckpore ?

A. I was in that Country near Seven Months.

Q. Whether or not the People appeared to be much distressed ?

The House observed, that the Witness had not answered the former Question.

Q. Was you there in a Situation that gave you the Means of observing the Administration of Colonel Hannay there ?

A. I was, in some Degree ; I went with him through some Parts of it.

Q. In what Condition were the People of those Districts ?

A. Rather in a bad Condition.

Q. In what Respect did you observe them to be in a bad Condition ?

A. There were fewer of them ; they were not so populous as most other Parts of the Country.

Q. Had you any Opportunity of knowing it before, so as to compare it ?

A. I have no Knowledge of it ; I have heard so.

Q. You have heard it, but have no Knowledge ?

A. No.

Q. But your Observation was, it was less populous than any other District you have been in ?

A. Yes.

Q. Under whose Administration were the Collection of the Revenue and Management of the Finance of those Districts, at the Time you went there ?

A. Under the Direction and Management of Colonel Hannay.

Q. Had you any Opportunity of observing any, and what, Instance of Rigour, in the Administration of those Revenues under Colonel Hannay ?

A. Do you mean justifiable or unjustifiable Rigour ?

Q. The Question put to you is, whether you saw any Instances of Rigour ?

A. I have seen People punished, and People imprisoned, but whether properly or improperly I cannot say.

Q. What was the Mode of Punishment that you observed ?

A. Some were confined within Mud Forts, others were confined within Bamboo Palisadoes.

Q. Were there any Instances of Punishments that you observed besides the Two you have mentioned ?

A. I have seen the Exercise of Corporal Punishment.

Q. What Species of Corporal Punishment ?

A. The Use of an Instrument called a Korah, a long Leathern Thong.

Q. Whipping you mean ?

A. Yes.

Q. Whether the Persons so confined, were in Irons or not ?

A. I do not know whether those that were confined in Bamboo Palisadoes were or were not in Irons ; I have seen those who were confined within the Mud Forts led out in Irons.

Q. Describe the Nature of the Bamboo Palisadoes.—What is the Manner of that Confinement ?

A. They were Walls made of Bamboo, a large Square.

Q. Had they any Covering ?

A. None that I recollect ; I believe they were adjacent to a Grove, and whether any Part of that Grove was within the Palisadoes or not, I cannot say, I am not certain.

Q. Whether

Q. Whether they were confined Night and Day in the open Palisadoes ?

A. To the best of my Recollection they were.

Q. What Space does the Witness conceive might have been contained within those Palisadoes, the Extent of Ground ?

A. About the Extent of that Place in which your Lordships sit.

Q. Do you mean the whole Hall ?

A. No ; that where your Lordships sit.

Q. Do you mean all round this inner Court ?

A. Yes, that lined with red.

Q. What Number of Persons have you seen confined in any One of those Prisons of that Size ?

A. I cannot precisely say, I should imagine about 60 or 70.

Q. Describe what Sort of Persons they were who were thus imprisoned, and upon whom those Punishments were inflicted, what Description of Persons ?

A. I heard that they were refractory Zemindars, or Hostages for the Payment of the Revenue.

Q. Whether they were imprisoned by virtue of any legal Process, or by the Orders of any Court, or by any Magistrate of the Country ?

A. None that I know of.

Q. By whose Order were they imprisoned, and under whose Guard were they confined ?

A. I cannot say under whose Order ; they were under a Guard from a Corps of Sepoys.

Q. That was commanded by Colonel Hannay ?

A. Yes.

Q. By whom, and upon what Description of Men, were the Stripes inflicted by the Instrument called the Korah ?

A. Upon the Farmers of the Revenue who I fancy had not paid ; it is the usual Mode of Punishment, when they do not.

Q. Do you know who assessed the Rate, by virtue of which, those Persons, you saw thus imprisoned or whipped, were charged ?

A. The Collectors who were under Colonel Hannay, and the Sub-collectors.

Q. The Collectors and Sub-collectors were under Colonel Hannay ?

A. Yes.

Q. But the Question is, Who made the Rate, Who authorized the Rate at which they were charged ?

A. I really do not know.

Q. Did you ever hear, or know, that Colonel Hannay himself assessed the Rate ?

A. I understood that he did.

Q. How did you understand it ?

A. It is merely upon hearsay.

Q. What do you mean by Hearsay, credible Information or loose Rumour ?

A. Only Hearsay.

Q. Did you ever converse with Colonel Hannay about it ?

A. No, I never did.

Q. I want to know whether you have heard it from credible Information or loose Rumour ?

The Counsel for the Defendant objected, that the Witness having spoken from hearsay only, he could not be asked, Whether it was hearsay which he credited.

Q. Have you any and what Reason to believe that what you heard was true ?

A. I have no Reason to disbelieve it.

Q. Do you believe it to be true ?

A. I did not hear it contradicted.

Q. Was it not notorious ?

A. I have heard many People speak of it.

Q. Was it not equally notorious, that these rigorous Methods were enforced generally throughout the Provinces ?

A. I do not know, having only had a partial Observation of them.

Q. By what Names did you hear these Bamboo Palisadoe Prisons called generally in the Country ?

A. I do not know. I know what Name they gave to the Mud Forts.

Q. What

Q. What was the Name they gave the Mud Fort ?

A. A Killa.

Q. Whether in that Climate, Persons are not likely to suffer, who are confined in open Cages by Day and by Night ?

A. Not in the Season during which I saw them, it was about the Month of April.

Q. Whether in any other Season they are likely to suffer in their Health ?

A. I suppose they are in the cold Season from Cold, and in the rainy Season from Wet.

Q. Are they not likely to suffer from the Sun in the dry Season ?

A. I do not know that they will suffer materially—it would be unpleasant in any Season of course ; the Natives of India stay in the Sun all Day frequently.

Q. Do you know whether any Provision was made for the proper Feeding and Cloathing the People so confined ?

A. No, I do not know whether there was or not.

Q. Was there any Gaol Allowance ?

A. I know nothing of the Matter.

Q. You were asked the Name of the Mud Forts and Bamboo Pallisadoes, and you gave the Name of the Mud Forts, which I suppose to be the Indian Name. I wish to know whether they went by any other Name, any Byc-name, among the Inhabitants ?

A. None that I have heard of.

Q. Or among the English ?

A. None that I know of.

Q. Do you know any Thing of the State of that Country during the Time of Sujah ul Dowlah ?

A. I have heard it was in a very flourishing State at that Time.

Q. When you saw it, was it in that State ?

A. I did not think it was, according to my Observations.

Here the Question and Answer were read by the Clerk.

Q. Was the Province much declined from the State it was in, in Sujah ul Dowlah's Time ?

A. I really cannot speak positively.

Q. Was it much declined from a State of Prosperity at that Time ?

A. I thought there were fewer Inhabitants.

Q. It was not so populous ?

A. No.

Q. Did you ever say, you considered it to be in a miserable State ; that the People of the Country were in a miserable State ?

The Counsel for the Defendant stated, that the House having already given Judgement upon a Question of a similar Import with this, they requested the House to sustain their Judgement, by prohibiting the putting of Questions of this Sort.

Q. Recollect the State of the Country, and speak as fully as your Memory can go to it, whether you did or did not observe the State of the Country to be miserable or happy ?

A. I thought it rather in a miserable State.

Q. Do you know, or have you any Reason to believe, that the People continued quietly in the Country, or that they emigrated from it ?

A. I have heard there were many Emigrations.

Q. I desire to know whether any forcible Means were used to prevent such Emigrations, or to restrain them ?

A. I cannot positively say that there were ; I have heard that there were at one Place Chokies, or Guards, placed upon the Banks of the Gogra ; I have seen One or Two Guards, but I really cannot say whether they were for that Purpose or not.

Q. Did you ever converse with Colonel Hannay about the Reason of those Guards being so placed ?

A. Never, that I recollect.

Q. Did

Q. Did you hear of any other Effects from the supposed miserable State of the People ?

A. I think I have.

Q. What was it ?

A. I have heard that many of them were so distressed, that they were under the Necessity of selling their Children.

Q. Have you had any Reason to know that from your own Knowledge ?

A. I know it to be a Practice to sell Children in the Country.

Q. In what Country ?

A. The Country I am speaking of, Barraitch and Goruckpore.

Q. By that Practice, do you mean it was of any long Duration, or only while you suppose the Country was depopulated ?

A. I have heard it was of long Duration. I have heard there was a Mart for Children.

Q. Was that Practice confined to Times of great Distress, or was it more general ?

A. I have heard that it was practised in the Time of Sujah ul Dowlah.

Q. The Question put to you is, Whether it was the Result of peculiar Distress or a common Habit and Custom of the Country ?

A. It might be both, for any Thing that I know.

Q. Do you, or not, know it was understood to be a Sign of great Distress ?

A. I have heard it was a Sign of Distress, and I have also heard it was a common Practice in the Time of Sujah ul Dowlah.

Q. Do you know of any Measure taken to prevent the Selling of Children ?

A. I recollect hearing Colonel Hannay threaten to inflict Punishment upon those who sold their Children.

Q. Do you know it from your own Knowledge ?

A. I heard him do it myself.

Q. Was there any Thing done to your Knowledge for the Relief of the People, so as to prevent the Practice of selling their Children ?

A. I do not know whether there was or was not.

Q. In what Character was Colonel Hannay in that Country ?

A. I understood him to be the Commander of the Military Force, and to have the Collections under his Management.

Q. From whom did he derive the Authority of collecting it ?

A. I heard it was from the Vizier, from the Nabob.

Q. (*from a Lord.*) Did he farm the Revenue, or did he take it for the Vizier's Use ?

A. He received it for the Vizier's Use as I understood.

Q. He received it for the Vizier's Use ?

A. So I understand.

Q. You know nothing of it ?

A. I know no Title for it.

Q. But you know he received it for the Vizier's Use ?

A. I know he did receive it, for I saw him carry it to the Vizier's House.

Q. There is a Doubt about your Answer to that Question. The Question put to you was, Whether you knew of his receiving them to the Vizier's Use, or of his bringing them to the Vizier's Account.

A. I did not make any Answer to that Question. I have answered, that I knew he did collect the Revenues of the Country, because I saw them paid into the Treasury. I understood they were for the Use of his Highness the Vizier ; but I know nothing more of it.

Q. What Species of Collection was Colonel Hannay entrusted with ?

A. I heard he had what they call the Aumannee.

Q. What is the Nature of that : What does the Word mean ?

A. It differs from the other Mode of Collection which is by the Kistbundy.

Q. In what respect ?

A. In this ; that in the latter Case the Country is collected at a fixed Assessment ; the Nature of the other is to collect agreeable to the Discretion of the Collector as much as he thinks it will with Propriety yield : That is the Idea I have of it.

Q. What Means have you of knowing the Method, either of the one, or of the other Collection ?

A. I have been employed in the Collections, not in that Country, but in others.

Q. And how do you know he collected in this latter Manner, at Discretion?

A. I heard so.

Q. (*From a Lord.*) From him?

A. No; not from him.

Q. From Persons concerned in the Collection of the Revenues?

A. I heard so from a Person who was an Aumil in the Country of the Vizier.

Q. (*from a Lord*) Was he concerned in the Collection of the Revenue?

A. Not in that Country but in another.

Q. In what District was he employed in the Collection of the Revenue?

A. In the District of Patna.

Q. Patna is not within the Province of Oude?

A. No.

Q. Do you know whether the same Customs prevail in that Province as in Oude as to the Collections?

A. I believe they do; I am not certain of it.

Q. When you speak of the Manner of the collecting by the Aumanney, which is at the Discretion of the Collector, do you mean it related to the Assessment of the whole District or only to Individuals; was it exercised by making a General Assessment upon the whole District, or was it exercised by only making a Rate upon Individuals?

A. I should apprehend, by making a Rate upon Individuals.

Q. Whether the last Mode of Collection by Discretion, as you call it, is common in other Parts of the District of Oude?

A. I do not know whether it is or no.

Q. Whether any of the Persons that you saw punished by Imprisonment were of those that did not pay this Species of Assessment that was gathered at Discretion?

A. I do not know whether they were or were not—I have only stated that Colonel Hannay had the Collections in this Manner: if he had, of course they were so; if not, otherwise.

Q. Whether at the chief Seat of Government, an Account was taken of what Colonel Hannay actually received, and what he actually paid?

A. I suppose there was.

Q. Do you know there was?

A. No; I do not.

Q. Do you know whether the Resident had any Tuncaw or Assignment upon that District?

A. I do not know.

Q. Was Colonel Hannay's Situation such as that the Vizier's Minister would think fit to call him to any Account, according to your Opinion of it?

A. I should not suppose he had a Power to call him to an Account.

Q. You should not suppose it?

A. No.

Q. Did Colonel Hannay ever demand a Remission of the Revenue which he ought to have paid, or of any Part of it?

A. I have heard he did; I do not know positively that he did.

Q. Do you know upon what Ground he demanded that Remission?

A. For the Injury which the Cavalcade of the Vizier might occasion in travelling through any Districts.

Q. Did you hear that that Remission was granted?

A. I heard that it was.

Q. To what Amount?

A. To the Amount of Two Lacks of Rupees; but I heard it from mere Report.

Q. Did you ever hear it contradicted?

A. No.

Q. Was it generally reported?

A. I do not know that it was generally reported.

Q. Did you believe it to be true; had you any Reason and what to believe it?

A. I had no Reason to believe it to be true any further than what I have heard.

Q. Whether you had any Reason to believe it not true?

A. None.

Q. I desire to know of the Witness, whether he ever had any Reason to disbelieve it?

A. None.

Q. Whether you have heard that Colonel Hannay made any Remission to the Country in consequence of the Remission he had received?

A. I do not know.

Q. Did you ever hear that he did?

A. Never.

Q. Did the Decay of the Country you had Occasion to observe, arise from unfavourable Seasons, or Misgovernment, according to your Opinion?

A. According to my Opinion, from Misgovernment.

Q. Is that Country as liable, or more liable, to suffer by unfavourable Seasons, than other Parts of the Vizier's Dominions?

A. I have heard not.

Q. Have you made no Observation?

A. It is remarkably low, and intersected by a Number of Rivulets.

Q. That you have observed?

A. That I have observed.

Q. From thence you collected yourself that it is not so liable?

A. Yes; and I have also heard it.

Q. What Military Command had Colonel Hannay in that Country?

A. His original Command I understand to have been Three Battalions, One of which I believe was detached under Major Balfour.

Q. Was there any Cavalry besides?

A. There was a Party of Horse under the Command of a Native.

Q. Were they under Colonel Hannay's Command too?

A. Yes.

Q. How many Men might the Three Battalions have amounted to?

A. I really do not know: I never saw them collected.

Q. By what principal Sub-collectors did he make his Country Collections?

A. By the Officers under him, and also by his Servants, who had a Share in the Collection.

Q. The Question is, Who were the Sub-collectors?

A. Is it meant that I should mention their Names?

Q. I want to know of what Description the Sub-collectors were—whether mere Collectors of Revenue, or Officers of the Army?

A. Officers of the Army.

Q. What were their Names, as far as you recollect?

A. Major Lumfdayn, Captains M'Donald and Pringle, a Surgeon of the Name of Blanc, and Mr. Gordon.

Q. Do you recollect any other Name?

A. Major Lumfdayn was succeeded by Captain Williams in his Military Command; but whether Captain Williams had any Thing to do with the Collections, I don't know; I have heard him say not.

Q. What was the general Opinion in Oude concerning the Government of the Country, during the Administration, Civil and Military, of Colonel Hannay?

A. I have heard an unfavourable Opinion.

Q. Have you heard that Opinion credibly contradicted in India?

A. No.

Q. Have you any Reason to believe it ill founded?

A. None.

Q. Were there any Magistrates in Barraitch and Goruckpore, sufficient to controul Colonel Hannay and the Power of the Military Commanders and Collectors?

A. None.

Q. Do you know any Thing of Colonel Hannay having, during that Period of Time, amassed a great Sum of Money?

A. I do not know: I have heard that he had.

Q. Have you any Reason to believe it?

A. I have no sufficient Reason.

Q. Have

Q. Have you ever heard it contradicted in India?

A. I have not.

Q. Was it not reported so?

A. By most of those with whom I conversed, it was.

Q. (*from a Lord.*) How was Colonel Hannay to be paid for the Trouble he took in collecting the Revenue?

A. I don't know that he was paid at all: There are Profits in the Collectorship of every Revenue.

Q. What are those Profits?

A. A Present may be made by the Renters of the Country to the Collector of the Revenues.

Q. A Present may be made, you say?

A. Yes.

Q. Is it usual to make such Presents?

A. I believe it is.

Q. Can you tell to what Amount, or to what Proportion, according to the Rents they pay?

A. I cannot.

Q. Proceed now to mention the other Profits that may accrue to the Collector?

A. I do not know of any other, excepting by the Exchange of the Coin, in remitting it.

Q. Upon the Exchange of Coin a Species of Profit may be derived?

A. Yes.

Q. Are those Presents usual according to the Custom of the Country?

A. I believe they are.

Q. If the Presents are not made or offered, does the Ryot, or Farmer, suffer in that Respect from the Collector?

A. I do think a Present might be made, and the Ryots not suffer from it.

Q. Whether if such Presents were not made, the Farmers would not be at the Mercy of the Collectors?

A. I should suppose they would be at the Mercy of the Collectors in either Case, because he has the principal Authority over them.

Q. Then you consider the People under such Collection, as you have described, to be entirely at the Mercy of the Collector?

A. In every Collection I should suppose they are in a certain Degree.

Q. In what Country do you mean.

A. I mean in every Collection.

Q. I desire to know whether in this particular Collection by the Aumanney, the Country is not more particularly at the Mercy of the Collector?

A. I should think it is.

Q. In your Judgment, would a Complaint against the Collector armed with such Authority as that, be likely to meet with Success?

A. What Kind of Success?

Q. Would it be attended to equally and fairly?

A. It would be attended to undoubtedly, I think.

Q. Do you think any Complaint well founded against Colonel Hannay, in the Situation in which he stood, would be likely to be attended with Punishment upon him, or with Redress to the Inhabitants who complained?

A. It would only produce Punishment, I should apprehend, through the Medium of the Government at Calcutta, as I do not suppose the Vizier would undertake to punish any of the English Officers, or that he has a Power to do it.

Q. Whether Colonel Hannay was not an Officer in the Vizier's Service?

A. I believe he was in both Services, that of the Vizier, and that of the Company, but I am not certain.

Q. Were those Troops Colonel Hannay commanded, the Troops of the Country or the Troops of the Vizier?

A. They were the Troops of the Vizier, though at the Recommendation of the Board at Calcutta; that is the Idea I had of them.

Q. With the Recommendation of the Board at Calcutta?

A. So I understand.

Q. You said he was also in the Service of the Company; in what Respect was he in their Service?

A. He was a Lieutenant Colonel in their Army.

Q. But in respect of these Troops he was the Officer of the Vizier?

A. I believe he was.

Q. Whether the Collection that Colonel Hannay made was not upon the Part of the Vizier?

A. I understood so.

Q. Had you any Reason to know what Colonel Hannay died possessed of?

A. I have heard that he died worth a great deal of Money.

Q. To what Amount?

A. I have heard that he died worth Thirty Lacks of Rupees.

Q. Have you any Reason to know that?

A. That was what I heard.

Q. How much is Thirty Lacks?

A. About Three hundred thousand Pounds.

Q. Did you hear how that Sum was transmitted to Calcutta?

A. It is mere hearsay, the Truth of which I know nothing: Merely Conversation in Companies in which I have been.

Q. Had you any Means of knowing, or Reason to form a Belief, either of the Extent of his Fortune, or the Means of sending it to Calcutta?

A. I have heard he remitted a great Part of it in Specie from Lucknow.

Q. To what Amount? And in what Specie?

A. There was a Rumour that he had remitted it.—Am I to answer that Question?

The Counsel for the Defendant said, they objected to Evidence of Rumours.

The Managers for the Commons contended that it was competent to them to give Evidence of the general Fame of the Country; that it was uncontradicted; and that from its Notoriety it must have come to the Knowledge of the Defendant; and desired the Witness might be asked, whether he heard the Quantity and the particular Specie in which this Money was remitted to Calcutta.

The Counsel for the Defendant replied, That they had acquiesced in many of the Questions put by the Managers for the Commons, not under an Idea that they were Questions which ought to be put in a Court of Law, but from a Delicacy in interrupting that Mode of Enquiry, unless it were resisted by the House; and therefore, under the Claim of being intitled to a similar Indulgence on their Parts, they should not object to this Mode of Examination.

The Managers for the Commons said, they disclaimed it as an Indulgence, and consequently that they were not bound to agree to any Indulgence to the Defendant in any Mode of Enquiry the Counsel might think fit to adopt.

The Managers for the Commons, and the Counsel for the Defendant, were informed that there could be no Contract of that Kind; but if the Question was not objected to, they might proceed.

Q. What was the Rumour about the Manner of his sending the Money to Calcutta?

A. I have heard there was a Rumour of his sending a considerable Sum of Money in Gold Mohurs.

Q. To what Amount?

A. To the Amount of 80,000.

Q. How much is a Gold Mohur in Sterling Money?

A. About Two or Three and Thirty Shillings, if not more.

Q. How much do 80,000 Gold Mohurs amount to in Pounds Sterling?

A. About 130 or 140,000 l. Sterling, or thereabouts.

Q. Did you ever hear these Accounts contradicted by unprejudiced Persons, or Persons likely to be well informed?

A. No, I do not know that I ever did; I never made that a Subject of Enquiry.

Q. Did you ever hear it?

A. No.

Q. Did you ever hear any One Man in India contradict it?

A. I do not know I ever heard Ten Men talk of it.

Q. Did you ever hear any One Man contradict it?

A. No.

Q. Did you ever hear any Discourse of that kind in Calcutta?

A. I cannot pretend to say where I heard it.

Q. Do you think it possible that the Misdemeanors imputed to Colonel Hannay, and the Report of the Fortune he is supposed to have amassed, could have been a Secret to Mr. Hastings?

A. Not if Mr. Hastings had chose to inform himself of what I heard.

Q. But, in Point of Fact, do you know, or have you any Reason to imagine, it was a Secret or not?

A. None, either one Way or the other.

Q. Were not these Matters publicly talked of, by those who are less capable of obtaining Information than yourself?

A. I do not recollect who they were, or whether they were less or more capable of obtaining Information than myself.

Q. Have you not stated elsewhere, that those were Matters publicly talked of at Calcutta?

The Counsel for the Defendant stated, that they must repeat their Objection to this Sort of Question.

Q. Do you recollect, at any Time, that those Matters were publicly talked of at Calcutta?

A. They were never told to me as a Secret, and therefore I said they were Matters publicly talked of.

Q. Did Mr. Hastings, to the Knowledge of the Witness, direct any Inquiry to be made at any Time into the Conduct of Colonel Hannay?

A. None that I ever heard of.

Then the Managers for the Commons produced a Paper, which they read.

Then the same was shewn to the Witness; and he was asked:

Q. Do you know whether a Translation of that Letter, dated 15th September 1782, from the Nabob Vizier to Mr. Hastings, upon the Proposition of appointing Colonel Hannay, passed through the Resident's Office at Lucknow?

A. I do not: I have seen it frequently.

Q. Do you mean the original Letter?

A. I never saw the original Letter: I have seen it in Print, or in Manuscript.

Q. How long was Mr. Hannay employed or concerned in the Collections in Baraich and Goruckpore?

A. I do not know how long he was employed previous to my going into that Country; but, to the best of my Recollection, he was not employed in them subsequent to the Insurrection.

Q. About what Time was that?

A. I think it was the latter End of 1781.

Q. What were Colonel Hannay's reputed Circumstances, when he entered upon that Employment?

A. I do not know, except from Hearsay.

Q. As to Repute?

A. I have heard he was in involved Circumstances.

Q. How long do you understand Colonel Hannay was in the Receipt of the Collections of those Provinces?—Have you any Means of knowing how long he had been in that Employment before you went there?

A. I heard he first went to that Country in the Year 1778: I found him in the Collections in the Beginning of 1780, and I found that he had quitted them the latter End of 1781.

Q. Whether the Rigour which the Witness has mentioned to have been exercised under Colonel Hannay's Administration, did not greatly exasperate the Natives in general?

The Counsel for the Defendant stated, that they had not objected to Rumour and Report; but as this was putting in the Mouth of the Witness an immediate Answer, if

if he chose to give it in the Terms proposed, they must object to it as a leading Question.

Q. What Effect in the Country had the Administration of Colonel Hannay, in the Article of exasperating the Natives?

A. I saw no Marks of Exasperation while I was there: I heard they were subsequently exasperated.

Q. At the Time you was there, you saw no Marks of Exasperation?

A. What I mean by Marks of Exasperation is, there was no Insurrection.

Q. Whether there were any other Marks of Exasperation besides actual Insurrections?—Were there any Complaints to the Resident, or to any Court?—Were there in general Symptoms of Discontent and Dissatisfaction?

A. Not immediately under my own Observation.

Q. But you heard it subsequent to your coming away?

A. Ycs.

Q. At what Time did you come away first?

A. I came away first, I believe, in May 1780.

Q. Between that Time and the End of 1781, when Mr. Hannay was dismissed from his Employment, was the Period of the Discontents you speak of?

A. I think so.

Q. The Witness cannot mean Insurrections after Colonel Hannay left the Country?

A. No.

Q. Did you hear that Colonel Hannay was himself in particular Danger from these Insurrections?

A. I did.

Q. Did you or did you not understand that the Ill-will of the Country was particularly directed against Colonel Hannay?

The Counsel for the Defendant objected to this as a leading Question.

Q. Whom do you suppose the People were discontented with?

A. I heard there was a general Insurrection, and that Colonel Hannay and the Officers with him were in Danger.

Q. In Danger from the Insurrection, do you mean?

A. Yes.

Q. What do you suppose those Insurrections arose from at First: Did you ever hear of any Machinations or Contrivances of particular Persons, or did you ever hear what the Cause was that they objected to?

A. I have heard it was owing to the Misconduct and Misgovernment of Colonel Hannay.

Q. The Witness upon a Question put to him some Time since with Respect to the Natives of these Provinces selling their Children, stated it in Two Ways; First he said, they were so distressed as to be under the Necessity of selling their Children; and Secondly, that he heard of it as a Practice; I wish to know whether the Witness meant to say it was the Practice of the Natives to sell their Children without Motives of Distress?

A. I have already stated it as the Practice among the Princes or Governors in Oude to purchase Children in that District; that there was a Mart for them; Sujah ul Dowlah was supposed to have bought many Slaves from that Country; I have also heard that from the Distresses of the Country, they were also obliged to sell their Children.

Q. The Question is, whether it was a Mark of Distress: Whether it was a Part of the Idea you entertain of that Practice of selling their Children, that it was used not only when the Family was in great Distress, but when the Family was clear of Distress?

A. I should apprehend it was a Mark of Distress, whenever they were sold.

Q. Universally whenever they were sold?

A. Universally.

Q. Had you an Opportunity of observing the general Disposition of the Natives of those Provinces, Baraitch and Goruckpore?

A. I have heard in general, that they were refractory; that it was considered as an Asylum for fugitive Zemindars, and particularly so, from there being a great deal of Jungle in it and Wood.

Q. Did you ever hear that another Remission of Two Lacks, besides that which you stated for the Damage the Nabob might occasion by Hunting in the Province, was demanded by Colonel Hannay?

A. I

A. I have heard there was a subsequent Demand.

Q. To what Amount ?

A. To the same Amount.

Q. For what was that Remission ?

A. For the Damage which the Cavalcade of the Vizier might occasion.

Q. That was the Occasion specified for demanding the First Remission ?

A. Yes.

Q. Was the like Occasion specified upon the Second Time ?

A. Yes.

Q. Was it for Damage actually done ?

A. Not as I heard of, but for Damage that might be done.

Q. Were they both in the same Year ?

A. No.

Q. Now, in either of the Years did you hear the Vizier went into the Province ?

A. In One Year he did.

Q. Did he in the other Year ?

A. I don't know that he did.

Q. Did you hear that Remission was obtained ?

A. I do not know it was.

Q. Did you hear it was not ?

A. No.

Q. You said he did come into the Province One Year; that was the Year he asked and obtained a Remission ?

A. Yes.

Q. Did he come into the Province the Second Year ?

A. Yes.

Q. Was it demanded then ?

A. I heard it was.

Q. Upon what Ground or Pretence ?

A. For the Injury the Country might sustain by the Cavalcade of the Nabob.

Q. Do you know any Thing of any Discontent expressed by the Nabob with Colonel Hanger's Administration ?

A. I have heard he expressed much Discontent.

Q. You was Resident at the same Time ?

A. I was speaking of the Time I was at Lucknow. I was Assistant to the Resident; there are Five of them.

Q. At that Time you heard the Nabob express much Discontent ?

A. I heard he expressed much Discontent.

Q. Did you hear, or not, whether the Vizier attempted to remove him

A. I heard that he wished to remove him.

Q. By whose Means was the Removal prevented, or was it prevented ?

A. The Removal, I believe, did not take Place till afterwards.

Q. Do you know by whose Means it was that the Removal did not take Place ?

A. I can only speak from Hearsay.

Q. From your Situation in the Resident's Office, had you, or not, an Opportunity of observing in whose Hands the actual Power of that Country was placed ?

A. I think I had.

Q. In whose Hands, the Nabob's, or those of Hyder Beg Cawn, was the Power of that Country actually placed ?

A. I have ever understood it was in the Hands of Hyder Beg Cawn.

Q. That Power which Hyder Beg Cawn exercised, Was it by the voluntary Delegation of the Nabob, or from what other Cause did it arise ?

A. He was appointed Deputy Minister, I believe, by the Nabob.

Q. Was there any other Cause of his Power besides that Appointment by the Nabob ?

A. From his Office he naturally held a very great Power.

Q. Was

Q. Was the Power he exercised incident to his Office, or was it a Power he engrossed by any other Means besides his Office?

A. It was a Power, I apprehend, naturally incident to his Office.

Q. Did you understand it to be from no other Influence, but what the same Sort of Office would have given to any other Man?

A. I should apprehend that the Office itself, if supported by him who delegates it, is sufficient to have the Controul over the Country.

Q. Was that Power which he exercised derived from the Support of the Nabob, or was it derived from any other Cause than that Support, always speaking, according to your Observation in your Situation?

A. I cannot speak with respect to my Observation, because I had no Opportunity of knowing; I can speak of what I have heard.

Q. I wish to know, whether the Administration of Colonel Hannay was agreeable or not, to the Nabob, at the Time when he was at Lucknow?

A. I have heard it was obnoxious to the Nabob.

Q. By what Influence was Hyder Beg maintained in a Situation that was obnoxious to the Nabob?

A. I have heard it was from the Influence of the Government.

Q. Of the English Government?

A. Of the English Government.

Q. By whose Influence in particular; by what Member of the English Government in particular?

A. I have heard he was supported in particular by the Influence of the Gentleman at your Lordships Bar.

Q. Had you, or not, from the Nature of your Office, an Opportunity of seeing the Official Correspondence between the Resident's Office and the Governor General?

A. Not during the Residence of Mr. Middleton; but subsequently, I saw the greater Part of it, if not the Whole.

Q. In whose Residency?

A. In Mr. Bristow's.

Q. From the Situation you held in the Office, had you an Opportunity of judging, whether the Nabob or Hyder Beg would have dismissed a great Amil without the Countenance of Mr. Hallings?

A. I don't believe that he would have done any Thing, or taken any Measure obnoxious to the English Government.

Q. Had it been usual with the Resident, or any of his Assistants, or any Person under him, to interfere with the Nabob's Government?

A. I have heard of his Interference.

Q. Have you known of any Instances of such Interference?

A. I do know of an Instance.

Q. Did Mr. Bristow's Nomination and Arrangement of a Court of Justice take Effect?

A. It did not.

Q. Why did it not take Effect?

A. From the Opposition of Hyder Beg Cawn.

Q. Had Mr. Bristow any Authority under his Instructions to institute such Court?

A. As nearly as I can recollect, he had the Authority to recommend the Institution of those Courts to the Vizier.

Q. What do you understand by a Recommendation of the Governor General, to the Vizier or Hyder Beg?

A. A Recommendation with which he expects to meet Concurrence.

Q. Do you think, that either the Nabob or Hyder Beg would have resisted any Recommendation that came from the Governor General?

A. He might so far, as to complain against it.

Q. To whom was the Nabob to complain?

A. To remonstrate to the English Government.

Q. But suppose his Remonstrances fruitless, do you think the Nabob would have continued the Opposition?

A. I think he would not ; because the English Government, as I apprehend, had the Means of enforcing any Request which they chose to make to the Vizier.

Q. To what Cause was it imputable, or to what Cause do you impute, the Success of Hyder Beg's Opposition to the Establishment of a Court of Justice ?

A. In my own Opinion ?

Q. According to any Reason you had, of knowing and observing ?

A. My Opinion was, that it was owing to the Support of Mr. Hastings.

Q. He had Instructions to appoint a Court of Justice ?

A. That was the Idea I had of it at the Time.

Q. Had Mr. Hastings any secret Agents at Lucknow during the Time of Mr. Bristow's Residence ?

A. He had ;—Major Palmer.

Q. Do you suppose Hyder Beg could have opposed it with Success, as you observed, unless he had been supported by Mr. Hastings in Opposition to his Instructions ?

A. I believe he would have been afraid of doing it.

Q. What was the Resident's Power, according to your Observation ?

A. If supported, I should apprehend, he would have the principal Power.

Q. Supported by whom ?

A. By the Government.

Q. By the English Government ?

A. By the English Government.

Q. Did not Mr. Middleton, during his Residence, exercise that which you call a principal Power ?

A. I know very little of Mr. Middleton's Administration.

Q. Had he, according to your Knowledge, the Command of the Troops ?

A. I understood that he had ; and that any Requisition he chose to make, to the Officers stationed at the several Cantonments, would be complied with, by sending such Troops as he might require.

Q. Had he not a Body of Troops under his own immediate Command, called the Resident's Body Guard ?

A. He had.

Q. I understood the Witnesses to have said, he considered Mr. Middleton as having the substantial Power in the Country. Who did the Nabob and his Minister consider as having that Power ?

A. I never heard either the Nabob or his Minister speak of him ; therefore, I cannot say in what Light they considered him.

Q. Do you know who the Country in general looks up to for that Power ?

A. To the English Government ; they were considered as the chief Power, I apprehend.

Q. Was Mr. Middleton looked up to by the English in general, as having that Power ?

A. I believe so.

Q. From your Situation in the Office, do you think that Power could be exercised by Mr. Middleton without Mr. Hastings's Knowledge ?

A. I do not think it could.

Q. You have named Major Palmer as an Agent of Mr. Hastings ; I would ask, in what Character you considered Major Davy at Lucknow ?

A. I understood he went up the Country upon some Business of Mr. Hastings.

Q. Did you consider those Agents of Mr. Hastings, Major Davy and Major Palmer, as forwarding or obstructing the Execution of his public Orders ?

A. I cannot positively swear that, but I understood they did.

Q. Obstruct or forward ?

A. Obstruct.

Q. Have you any Reason, and what, to believe that Major Palmer and Major Davy were employed in opposing his public Instructions ?

A. I understood that they were ; I have no other Reasons than what I heard from those in the Office.

Q. You know nothing of it, but you heard it ?

A. Nothing but what I heard from those in my Office.

Q. Was

Q. Was not Major Palmer at Lucknow during a considerable Part of the Time of the Transaction relative to the Begums ?

A. I was not there at the Time of the Transactions with the Begums, I was gone down to Calcutta.

Q. I don't mean at the Time of seizing the Treasures, but when the Measures were taken to compel the Begums Officers to confess where the Treasure was, to compel them to confess while they were in Prison in 1782 ; the Question is, not as to the seizing the Treasures, but do you remember the Time the Begums were imprisoned to compel them to say where the Treasures were ?

A. Yes.

Q. Was Major Palmer at Lucknow at that Time ?

A. To the best of my Recollection he was.

Q. Do you believe that these Transactions could have happened without Major Palmer's Knowledge, during his Residence there at that Time ?

A. I should suppose not ; but I am not certain whether he was there or no.

Q. Did you ever see the Two Ministers of the Begums ?

A. I saw them brought into Lucknow.

Q. In what Situation were they, when you saw them brought into Lucknow ?

A. They were brought in their Palanquins, attended by a Guard of Sepoys.

Q. Under whose Command were the Sepoys ?

A. That they were brought in by ?

Q. Yes.

A. I do not recollect.

Q. Were those Sepoys that brought in the Prisoners, Part of the Nabob's Army, or were they any British Troops ?

A. To the best of my Recollection, they were detached from a Regiment then stationed at Fyzabad.

Q. In whose Service was that Regiment ?

A. In the Company's.

Q. Were they at large afterwards at Lucknow, or closely imprisoned, and how ?

A. They were confined in a detached House, with a Guard, and in a Garden.

Q. What other Circumstance do you know of their having been scourged, or hardly treated ?

The Counsel for the Defendant objected to this, as a leading Question.

Q. Whether you know any Thing of their being hardly treated ?

A. I never saw them punished.

Q. Do you know of any other hard Treatment ?

A. Nor of any other hard Treatment.

Q. Did you add to your Answer, Till some Time after ?

A. I heard something about it a long while after—several Years after.

Q. Were they imprisoned in any House, near that in which you resided ?

A. They were imprisoned immediately under the Window of the House in which I resided, close to it.

Q. Did you, or did you not ever see, any Preparations made for any corporal Punishment ?

A. I saw something of a Scaffolding.

Q. For what Purpose ?

A. I heard, it was for the Purpose of tying them up.

Q. Whose Prisoners did you consider these Men to be ?

A. I considered them as Prisoners of the Resident : They were close to his House, and under an European Officer.

Q. For what Purpose were they confined, or rigorously treated, if they were so ?

A. I understand it was for the Purpose of extracting from them the Balance due from the Treasures seized at Fyzabad.

Q. Do you, or do you not know of any Balance being due from the Treasures seized at Fyzabad ?

A. I heard that there was : I do not know that there was.

Q. I have you any Knowledge of the Cause of their Imprisonment, but from what you heard?
A. None, but from what I heard.

Q. Did you hear from the Resident, the Cause of their Imprisonment?
A. No; not that I recollect; it is not, I think, likely he should have told me.

Q. What Reason have you for saying, it was unlikely the Resident should tell you?
A. I had nothing to do in the Office at that Time; consequently, it was improbable he should communicate any Thing of the Office to me.

Q. Whether, Major Palmer had frequent Access to the Resident, and to the Nabob, and to his Minister?

A. I do not know that he had, during Mr. Middleton's Administration; I am not sure.

Q. Had he, during Mr. Bristow's Residence?

A. Yes, to the best of my Knowledge.

Q. But what Knowledge have you of it?

A. I have seen the Attendants of the Minister waiting at Mr. Palmer's Door, when I have understood he has been with him.

Q. During the Time you were in the Resident's Office, do you know, whether all Mr. Hastings's Correspondence was regularly entered?

A. I have heard there were some Things which were not.

Q. Do you know of any Reason, why it was not?

A. No.

Q. Did you hear any Orders for its not being entered?

A. No.

Q. Do you recollect seeing any Letters yourself, not regularly entered, that were transmitted to the Resident's Office from the Government at Calcutta?

A. I do recollect seeing one.

Q. State the Purport of any Passage, you recollect to have been so omitted; do you remember what the Letter was?

A. I do not remember the Whole of it.

Q. Do you remember any Part of it?

A. I think I do.

Q. Do you know, whom it was from?

A. I cannot be certain; I think it was a Letter from the Governor.

Q. Do you know Mr. Hastings's Hand Writing?

A. I do not; I believe I could tell his Signature, but not his Hand Writing.

The Witness was shewn a Letter dated 30th June 1783, and asked,

Q. Had this Letter his Signature?

A. I do not know that it had or had not.

Q. Why do you call it a Letter from the Governor then?

A. Because I understood it so.

Q. Why did you understand it so?

A. I was told so.

Q. Was you told so by the Resident?

A. No.

Q. Did you see that Letter?

A. I am not certain whether I saw the original Letter, or whether it was a Copy of it.

Q. Was it an official Copy, if you saw the Copy?

A. It was in the Office.

Q. Was it, or not, in the Books of the Office; was it transcribed according to the Forms of the Office?

A. No, it was not transcribed in the Books.

Q. State the Passage you recollect?

The Counsel for the Defendant submitted, that the Managers for the Commons were not at Liberty to suggest any Passage of a Letter to the Witness, particularly under

under the Circumstances stated by the Witnesses, that he does not know whether it was an official Paper, or whether it was signed by the Defendant.

The Managers for the Commons were informed, that unless they could bring the Letter home to Mr. Hastings, it was no Evidence.

The Managers for the Commons observed, that the very Passage might ascertain who the Writer was.

The Counsel for the Defendant insisted, that the Writer could not be so ascertained.

The Managers for the Commons said, they would waive the Question for the present.

Then the Witness was asked,

Q. Whether you saw a Letter of Intelligence from Fyzabad containing a Relation of the Treatment of the Women in the Khôurd Mahl?

A. Yes I did, and translated it.

Q. From whom did it come?

A. Hoolais Roy.

Q. Who was he?

A. An Agent of the Resident at Fyzabad, employed for the Purpose of transmitting Information to the Resident.

Q. Was that Paper transmitted to Mr. Hastings?

A. To the best of my Recollection, it was transmitted to the Board after I had attested it.

Q. What was the general Effect upon the Country, from the Seizure of the Begums Treasures and the Imprisonment of the Ministers: what Sensations did it occasion?

A. I cannot tell what Sensations it occasioned.

Q. Do you know of any Effects actually produced by it?

A. None.

Q. In what Respect did it affect the Nabob's Character, and how?

A. I have heard, from one or two Persons, that it rendered him odious.

Q. What was the general Condition of the Police at Lucknow?

A. In a very miserable Condition; very wretched indeed.

Q. What Sort of Establishment is that Police?

A. There is a Man who has the Management of it, who is called a Cutwall.

Q. What Officers are under him; what Patroles; what is the Nature of the Establishment?

A. I believe he has a Body of Country Sepoys.

Q. What Number of Sepoys?

A. I do not know.

Q. In what Manner does this Cutwall exercise his Office?

A. In a very bad Manner.

Q. What do you mean by exercising it in a bad Manner?

A. Because Robberies are frequently committed.

Q. Do you impute that, to the Negligence of the Cutwall, or to the Insufficiency of the Institution?

A. To both.

Q. Was there any Thing else in the Behaviour of the Cutwall, besides mere Negligence?

A. I have heard, he was an Accomplice in the Robberies.

Here the Witness was shewn a Paper, and asked by the Managers for the Commons,

Q. Do you know that Hand Writing?

A. I do not.

Q. Look at the Hand Writing in the Margin.

A. I cannot swear positively to that in the Margin.

Q. Whose Hand Writing do you take it to be?

A. I think it is Mr. Bristow's.

Q. Have you seen him write ?

A. Yes frequently ; I have had many Letters from him.

Q. And you believe that to be his Hand Writing ?

A. Yes.

Q. If you think that is Mr. Bristow's Hand Writing, do you think that these Corrections and Observations were authorized by him ?

The House acquainted the Managers for the Commons, that as yet the House was not informed what they were. If made Evidence, the House would hear them.

Q. In what Condition were the Nabob's Troops when you were at Lucknow, I mean, distinguished from the Company's Troops ?

A. In a very bad Condition.

Q. Describe what you mean by a very bad Condition : do you speak of their Appearance, or Drefs, or in what ?

A. I mean, they were very badly clothed, and in general without much Discipline.

Q. Do you know of any Instances of the Nabob's Guard rising at any Time upon the Nabob himself, in a mutinous Manner ?

A. No, not whilst I was there.

Q. To what do you attribute the bad Cloathing and poor State of the Nabob's Troops ?

A. I apprehend to the Want of Pay and to the Want of Cloathing.

Q. To what was the Want of Cloathing owing ?

A. I cannot say ; I suppose, to the Want of being regularly supplied.

Q. What Circumstances of their ill Cloathing do you recollect, to shew that they were ill clothed ?

A. I recollect seeing some of the Cavalry very badly clothed indeed.

Q. Specify, as far as your Memory goes, the Deficiencies in the Cloathing which you had occasion to observe ?

A. Some were with one Sleeve of a Coat, others with a Bit of Cloth sewed on to a Shirt : The Cavalry I am speaking of.

Q. Was this extensive amongst the Cavalry ; how many had he ?

A. I never saw above Two Corps of Cavalry.

Q. What is the Number of each Corps ?

A. Both together make about Four hundred.

Q. What Proportion of these Four hundred were so clothed ?

A. The greater Part ; nearly all of them.

Q. Did you proceed with the Nabob from Lucknow to join Mr. Hastings at Chunar in September 1781 ?

A. I did.

Q. Were these Cavalry attending in the March ?

A. I cannot positively say ;—a great many attended, but whether these Corps of which I am now speaking attended, I cannot say.

Q. Was the Appearance of that Cavalry who did attend him, in the bad Way you have described ?

A. They were of a different Kind ; they had not European Cloaths, nor European Accoutrements.

Q. Whether a Sum of Money would not have been highly acceptable to the Nabob to pay or cloath these Troops at that Time ?

A. I should apprehend it would, whether he had Troops or not.

Q. But the Question means ; whether it was peculiarly necessary ; whether the cloathing his Troops would not have made it peculiarly acceptable to him ?

A. I suppose it would.

Q. Have you any Knowledge of Mr. Middleton having advanced to the Nabob a Sum of Money at that Period, previous to his joining Mr. Hastings at Chunar ?

A. I know nothing of it.

Q. From your Observations and Knowledge of his Circumstances, did you consider the Nabob as in a Condition to make a considerable Present to any Person ?

A. I have no Knowledge upon the Subject.

Q. You have mentioned hitherto the ill Pay of his Troops and the bad Condition of their Cloathing, did you look upon him therefore to be in a Condition to make a great Present?

A. I cannot say, whether he had a large Sum of Money in his Possession or not.

Q. Do you believe, if he had had a large Sum or any Sum of Money in his Possession, he would have applied it to the Cloathing and Pay of his own Troops, his own Body Guard?

A. I should suppose he would for his own Credit.

Q. Whether you know any thing of the Nabob giving Mr. Hastings any Present, and what, immediately upon his Arrival at Chunar?

A. I do not know of any.

Then the Managers for the Commons stated, that the Witnesses had authenticated the Hand-writing of Mr. Bristow in the Margin of a Paper that had been shewn him, and in Order to authenticate the Paper itself, it was necessary it should be read to the Witnesses?

The Counsel for the Defendant objected to the Paper being read, till it had been authenticated by the Witnesses, or otherwise.

The Managers for the Commons were asked, if this was not the Paper of which the Witnesses had said, he knew the Hand Writing in a Marginal Note of it to be the Hand Writing of Mr. Bristow, but that he knew nothing of the Hand Writing of the Paper itself.

The Managers for the Commons observed, that the Witnesses had said a Paper had been received from Hoolahs Roy, which he translated in the Resident's Office: That they wished to ascertain whether this was not that Paper, and to do it, it was necessary for the Witnesses to hear or read the Paper.

The Paper was shewn to the Witnesses; and he was asked,

Q. Do you know whether that was the Paper you translated? Is that the Paper which came from Hoolahs Roy?

A. To the best of my Recollection it is—the original Paper was given to me by the Resident to translate.

Q. Was that Paper transmitted to Calcutta?

A. I don't know whether or no the Original was, but I understand my Translation was, because it was sent to me to attest after having translated it; which Process it would not have undergone, had it not been intended to be transmitted to Calcutta.

Then the Managers for the Commons were heard in Support of the above mentioned Point.

Then the Witnesses was asked,

Q. Whether that Paper now shewn to you is, or is not, a Translation of a Paper of Intelligence transmitted from Fyzabad to Lucknow?

A. I think it is.

Q. Do you say, also, you think it was transmitted to Calcutta?

The House observed, That that could be proved by the Records of the Company.

The Managers for the Commons made Answer, That they should prove it from the Records of the Company, but they wished to strengthen the Evidence by authenticating this as an official Translation of the Paper.

Q. Whether you know of any Allowance made to the British Gentlemen out of the Revenue of the Nabob of Oude?

A. I do;—by the Resident.

Q. Do you know, or have you any Reason to believe, or form a Judgement whether the Resident would have made those Allowances, without the Knowledge or Consent of Mr. Hastings?

A. I do not believe he would, without the Knowledge and Consent of the Government at Calcutta.

Q. Do you know of any Authority for these Allowances by any Body, and whom, posterior to the Treaty of Chunar?

A. What Authority?

Q. You

Q. You have said there were Allowances made to English Gentlemen by the Resident at Oude?

A. Yes?

Q. Do you know of any Authority, posterior to the Treaty of Chunar, by which those Allowances were so made?

A. I do not.

Q. I desire to know who paid you your Allowance?

A. The Resident.

Q. Was that Allowance settled before, or after the Treaty of Chunar?

A. From the Date of the Treaty of Chunar I received it.

Q. Have you any Reason to know that was in Consequence of a Regulation; or do you know of any Regulation made upon the Subject?

A. The Resident told me it had been settled. As nearly as I can recollect, "that the Vizier had settled that Allowance upon us."

Q. To what Amount?

A. Two thousand Rupees a Month.

Q. From your Knowledge who did the Allowance come from; was it from the British Revenues, or the Nabob?

A. From the Resident, out of the Nabob's Revenue.

Q. Could the Resident make you that Allowance, without having the Authority of Mr. Hastings? Do you know whether he did make it by the Authority of the English Government or not; or from his own Head?

A. I do not know that he made it by the Authority of the English Government positively, nor do I know he did not.

Q. Did the Resident, from any Conversation he held with you, make you understand it was settled at Chunar?

A. That Impression was left upon my Mind when he told me it was settled at Chunar.

Q. Would the Nabob, as far as you had Occasion to observe or know, have made any Allowance to any English Gentleman without the Approval of the Government of Bengal, or of Mr. Hastings?

A. I do not believe I could have obtained a Rupee without.

Q. Did you hear of any other great Allowances made, besides those paid to the Resident's Office?

A. I have heard of other Allowances.

Q. Have you heard of any Allowance to Sir Eyre Coote?

A. I have.

Q. Have you heard of any Allowance to Dr. Thomas?

A. I have.

Q. That it was a great Allowance?

A. Yes; that it was a great Allowance.

Q. Have you heard that there was any Allowance to Dr. Murcheson?

The Counsel for the Defendant objected to the Question being asked in the Form put by the Manager for the Commons; and that it ought to be asked what Allowances were made; not whether an Allowance was made to such a One by Name.

Q. Do you recollect what Allowances you have heard were made?

A. I have heard, as I said before, of an Allowance to Sir Eyre Coote, which was Fifteen thousand Rupees a Month; of One to Dr. Thomas, the precise Sum I do not know; and of One to Dr. Murcheson, the precise Amount of which I am also ignorant of.

Q. Have you heard of any other?

A. I cannot charge my Memory with any.

Q. Whether Dr. Murcheson had any, and what Emoluments, besides what he received by those Allowances?

A. He had an Allowance from the Company.

Q. I except the Company; I am not enquiring of the Company. Had he any other Emolument besides that from the Nabob?

A. None from the Nabob, that I know of.

Q. Had

Q. Had he from the Resident ?

A. I have heard of his having an Emolument from a Corps to which he was Paymaster.

Q. As a Paymaster ?

A. As a Paymaster.

Q. But no farther ?

A. Not that I know of.

Q. Do you recollect any Thing concerning a Memorial or Representation by the Nabob of Bahadre, the Brother of Afoph ul Dowlah, the reigning Nabob, being presented to Mr. Bristow ?

A. Yes, I do.

Q. What was the Subject of it ?

The Counsel for the Defendant objected to the Witness speaking to the Contents of a Memorial in Writing.

Q. What is become of that Memorial ?

A. That Memorial was given me to translate in the same Manner as the other Paper I have mentioned ; which I did : It was afterwards attested, and I believe it was sent to Calcutta.

The Managers for the Commons stated, that they had the Representation, which would undoubtedly appear in its Time ; but as the Defendant denied having ever heard of any Part of the Transaction, they meant to prove every Circumstance relative to it.

The Counsel for the Defendant insisted, that it was not competent to the Managers for the Commons to examine the Witness to the Contents of a written Paper.

Then the Witness was asked,

Q. Whether there was any Difference, in point of Time, between the Date of the Paper being translated, and its being put into the Office ?

A. Much about the same Time, if not the same Day.

The Managers for the Commons stated, that they meant to support the written Paper by the verbal Testimony of the Witness at the Bar ; but as it would put him to Inconvenience to detain him till the Paper could be produced, they should proceed with their Examination, and waive this Question for the present.

Q. The Witness has said, he translated the Memorial ; I would ask whether the Translation was correct and proper ?

A. Yes.

Q. And it was transmitted to Bengal as such ?

A. Yes.

Q. And it is now among the Papers of Bengal ?

A. Yes.

Q. Whether, during your Residency at Lucknow, the Condition of the Inhabitants of that Place was in perfect Security as to their Lives and Property ?

A. I think not ; not in a State of Security.

Q. Whether you know of any, and what Instance, that served to mark that State of Insecurity you have imputed to Lucknow ?

A. I know of several Robberies that were committed, very daring ones ; also of Murders.

Q. Mention such as you know yourself.

A. I was twice robbed myself.

Q. What Knowledge had you of the Murders ; do you know any thing of them, otherwise than from Report and Rumour : Did you see the Body, or any Thing of that Sort ?

A. I did not see the Body.

Q. What do you know of them ?

A. There was a Robbery committed whilst I was at Supper in the Resident's Garden ; it was committed by a numerous Band of very atrocious Robbers : They came with Torches in their Hands, and cut down several People ; and afterwards plundered the House of a Banker, to the Amount of 24,000 Rupees, close to the House of a Gentleman at the Bottom of the Resident's Garden.

Q. I desire to know whether Justice was done upon these Delinquents?

A. I do not know that they were discovered?

Q. Whether you know of any Diligence being used to bring them to Justice?

A. I recollect Mr. Bristow complaining of the Impossibility of bringing them to Punishment from the Want of Power.

Q. From your Observation of what passed at the Court of the Nabob, how did that affect the Police of that City?

A. I do not understand the Question.

Q. Whether the Nabob's Household behaved orderly, or how otherwise?

A. They did not behave orderly, so far as I heard.

Q. Did their Disorders require the Assistance of a Magistrate to controul them?

A. Most undoubtedly, from the Depredations they were supposed to have committed.

Q. Whether, if Magistrates had been duly appointed, according to the Constitution of the Place, they would have been sufficient to have controuled these Disorders?

A. I suppose they would.

Q. Do you know of any Attempt made under Mr. Hastings's Recommendation to establish such an Officer?

A. I understand there was.

Q. Was any Body, and who, appointed to the Office?

A. A Person of the Name of Moolevy Mowbein.

Q. Do you know any Thing of the Character and Qualification of Moolevy Mowbein?

A. I understood him to be of a very excellent Character, a very good Man, and very well qualified for that Place.

Q. Did you take him to be incorrupt, or otherwise?

A. I understood he was very much so: Very incorrupt, and a very honest Man.

Q. Do you know whether he was ostensibly admitted by Hyder Beg Cawn?

A. I understood he was ostensibly admitted by Hyder Beg Cawn.

Q. Was he properly supported in his Office, so as to enable him to do his Duty?

A. I understood not.

Q. Did Hyder Beg Cawn give him any Support?

A. I understood he gave him no Support; upon the contrary, he opposed him.

Q. Is it your Opinion that if Mr. Hastings would have supported Mr. Bristow in the Nomination recommended by himself, Hyder Beg Cawn would have dared to have opposed him?

A. I should suppose that Hyder Beg Cawn would not have dared to oppose him, if the Government had taken the Means in their Power to support the Magistrate.

Q. Whether, according to your Observation of the State of that Country, it did not particularly call for the Establishment of Magistrates according to Law?

A. I think it did.

Q. (*Cross examined.*) What Age was you when you went to Lucknow?

A. Fifteen or Sixteen.

Q. I understand the Witness to have gone up the Country in 1778 or 1779?

A. In 1779.

Q. In 1779, you were of the Age of Fifteen or Sixteen?

A. Yes.

Q. Do you recollect what Age you were, when you went to Goruckpore?

A. I cannot precisely recollect what Age I was when I went to Goruckpore.

Q. How soon was it after you went up the Country of Oude?

A. It was after Sir Eyre Coote left Oude.

Q. What Year was that, do you recollect?

A. I think it was in 1780.

Q. Then you must have been between Sixteen and Seventeen?

A. I fancy somewhere thereabouts.

Q. Did you make a longer Stay in either of the Provinces of Baraitch, or Goruckpore than Seven Months?

A. No longer.

Q. You

Q. You said the Country appeared to be in a worse State than it had been ; I wish to understand whether you saw any particular Marks of the former Cultivation that had been discontinued ?

A. I don't recollect to have said that.

Q. It is understood, and if there is any Doubt about it, you will explain it, that when you went to Goruckpore and Baraitch you had observed it was less populous ; that there were some Marks of Distress in that Country, and that it was in a worse Condition than you understood it from Report to be, before you went there

A. Yes.

Q. Then the Question is, what Signs of that Distress you had observed there ?

A. I observed it was not so populous as other Parts of India I was in.

Q. Whether you saw any Signs that Parts of the Country, which had been cultivated and inhabited before, were uncultivated and deserted ?

A. I think I did.

Q. In what Part, and which of those Provinces in particular ?

A. I saw Two or Three very capital Towns, with the Houses which had been inhabited by former Rajahs or Princes : These, at the Time I saw them, were uninhabited ; and the Towns had fewer Persons in them than they appeared originally to have contained.

Q. What were the Names of those Towns ?

A. The Two Towns I mean, were Barampore and Ghouda.

Q. Are not the Districts of Baraitch and Goruckpore the Frontier Districts of the Province of Oude ?

A. They are.

Q. Do you know any Thing of Insurrections and other Causes of Depopulation which prevailed in those Two Districts ?

A. I have already stated, that it afforded an Asylum for fugitive Zemindars.

Q. In Answer to a Question, what the Character of those People were, you said they were refractory, and imputed it to that ; do you impute the Want of Cultivation and Population that you observed to the same Cause ?

A. I impute it in some Measure to the Distress of the Country.

Q. I wish to know from the Witness, whether he does not know those Distresses were owing to the Incursions made by those refractory fugitive Zemindars ?

A. I do.

Q. Were there any particular Zemindars about 1780 or 1781 who distressed that Country ?

A. I have forgot their Names. I recollect hearing of One or Two.

Q. Was Zalmin Sing One ?

A. I do not recollect their Names.

Q. The Towns that you observed to be abandoned, did they appear to have been long or recently abandoned ?

A. They were not in very bad Repair ; and whether they were abandoned for a Length of Time or very little, I cannot pretend to say.

Q. Did they appear, or could you collect from your Observation from what you saw in these Towns, Whether they had or not been abandoned before the Year 1775.

A. I do not know. I cannot tell.

Q. Do you, or do you not know, Whether the Native Zemindars had behaved in a Manner more refractory than other Zemindars ?

A. No ; I do not.

Q. Do you know whether the Revenues of these Two Districts had ever been collected without considerable Rigour ?

A. I know nothing about the former Mode of collecting it.

Q. Do you know whether, in Cases of Claims for Arrears of Revenue in Baraitch and Goruckpore, there were any Courts to which they could resort to compel Payment ?

A. No.

Q. Do you know of any Court in which the Collectors of the public Revenue can, by the regular Process of such Court, compel Payment ?

A. None.

Q. Whether, from November to July, the Inhabitants of that Part do not continue in the open Air all Night ?

A. The greater Part of them sleep in the open Air of Choice all Night.

Q. You

Q. You have stated Two Modes of collecting; One by the Kistbundy, which is according to a regular Rate; the other the Aumanney, which is discretionary: I wish you to explain what you mean by the Aumanney, and whether it is not a certain Proportion of the growing Crop?

A. Do you mean, a Demand made according to a certain Proportion of the growing Crop?

Q. Whether in the Assessment of the discretionary Rate by the Aumanney, any Proportion is observed between the Sum demanded and the growing Crop of that Year?

A. I do not know.

Q. Do you know whether the same Mode, or a similar Mode of Collection, obtains in the Two Provinces of Bahar and Oude?

A. I believe they do.

Q. Do you know whether it obtains likewise in the Province of Bengal?

A. I do not know.

Q. When you speak of a similar Manner, do you mean that there is a double Mode of Collection—One by the Kistbundy, which I understand to be regular; and One by Discretion, called the Aumanney—Whether the same Practice prevails in Bahar and Oude?

A. Yes, to the best of my Memory.

Q. Do you know, whether the Instances of Rigour used in Colonel Hannay's Time, came at any Time to Mr. Hastings's Knowledge?

A. I do not.

Q. Whether you know Major McDonald, Captain David Williams, and Captain Gordon?

A. I do.

Q. What is the Character of those Gentlemen for Veracity?

A. I never heard it impeached.

Q. Were those Gentlemen stationed in the Province of Goruckpore in September 1781?

A. I think they were.

Q. You was stationed there in the Months of August, September, and October, 1781?

A. No; I was there in the Spring.

Q. Then, they who were there in the latter Months, had a better Opportunity of knowing than you?

A. I believe they had; they were employed in the Collections, and consequently had.

Q. Do you remember at what Distance of Time, after the Receipt of the Intelligence respecting the Distresses of the Khourid Mahl, that Paper was transmitted to Calcutta?

A. I cannot say.

Q. Do you believe it was transmitted within Ten Months after the Time it was received?

A. I understood it to be a Letter received just before it was transmitted.

Q. Then you understand it was transmitted as soon as received?

A. Yes, in the Course of Three Days.

Q. Can you bring to your Mind the Time at which the Translation was made?

A. To the best of my Recollection, it was in January 1784.

Q. Whether the Distresses that had been complained of had ceased for above a Twelvemonth before the Distresses of the Khourid Mahl?

A. I understood they were new Distresses.

Q. Then you state, that that Account transmitted in 1784, was, as you understand, an Account of new Distresses?

A. Yes.

Q. Do you know, whether there was not a specific Assignment for the Maintenance of those Women in the Country of Sultanpore?

A. I know that they had large Parcels of Land allotted for their Support and Maintenance.

Q. Were they separate Assignments from the Begums Jaghire?

A. I do not know.

Q. Does the Witness know the Distance of a Place called Taundy from Fyzabad upon the Banks of the Gogra?

A. I am not certain, I think about Forty Miles.

Q. Do you know whether Tannda is within one of the Begums Jaghires?

A. Yes, it is.

Q. At

Q. At what Distance from Barraitch and Goruckpore was you in August, September, and October, 1781, when the Insurrection happened?

A. I was at Calcutta.

Q. Was you there from the 15th of August to the End of September?

A. I cannot speak to Dates; but I went with the Vizier from Lucknow to Chunar, and from thence I proceeded to Calcutta.

Q. How far is Lucknow from Barraitch and Goruckpore?

A. About Eighty Miles.

Q. The Witness has stated, that a Letter of the 15th of September 1782, from the Vizier to the Governor General at Calcutta, complaining of Colonel Hannay, was sent to the Government; do you know when Colonel Hannay died?

A. I think in 1784; I cannot tell.

Q. Where did he die?

A. In Calcutta.

Q. When was the Letter transmitted?

A. I do not know. I did not say I had transmitted it, or that I knew it was transmitted.

Q. Whether you have any Knowledge of the Opposition; or whether there was any Opposition to the Courts of Justice by any Body?

A. I understand that Hyder Beg Cawn opposed them.

Q. Have you any Knowledge of your own, of the Manner in which he opposed them?

A. I heard it was, because he would not give them a Court to sit in; that was one.

Q. Was there any other?

A. I do not know of any other.

Q. Whether you know of any Act of Opposition upon the Part of Hyder Beg?

A. I do not know of any.

Q. What Station had Moolevy Mobein been in before he was appointed to the Magistracy, the Duggah Adawlut?

A. I heard he was originally appointed upon a former Occasion to the same Office; but I think they said he refused to accept of it, and that, subsequently, for Subsistence, he kept a School.

Q. Was he a Schoolmaster at the Time he was appointed?

A. I believe he was.

Q. By keeping a School, do you mean, an inferior Situation; or was it a considerable One in the Place?

A. Rather an inconsiderable One, I should imagine.

Q. But have you any Knowledge of that?

A. I have seen the School in the Street.

Q. The Witness said, he heard it was usual for the Resident to interfere with the Nabob's Government, and that he heard of an Instance. Can you specify the Instance in which the Resident intermeddled in the Nabob's Government?

A. In the Appointment of an Aumil.

Q. How did he interfere?

A. Against the Concurrence of Hyder Beg Cawn.

Q. Whether it is not usual throughout the Dominions of the Vizier to collect the Revenue by Means of a Military Force?

A. In many Parts it is.

Q. Is there any Part of the Dominions of the Vizier in which a Military Force is not employed for that Purpose?

A. I do not know that there is.

Q. Whether the Force employed in the Collection of the Revenue, being a Military Force, is not commanded by Military Officers?

A. Not by Military Officers in general, but many of the Aumils, though not Military Men, have Corps employed in the Collection of the Revenue.

Q. You mean many Persons, themselves not Military, have Corps under their Command for the Purpose of collecting the Revenue?

A. Yes.

Q. Did you ever see a written Copy of the Aumanny?

A. None.

Q. What Knowledge then have you of it?

A. Merely Report.

Q. You said the Collection was higher at One Period and lower at another ; did you state that, from mere Report, or from certain Documents ?

A. From mere Report.

Q. Do you know whether Major Palmer was in the Country of Oude at the Time the Insurrection in Baraitch and Goruckpore broke out ?

A. I do not know precisely the Time when the Insurrection broke out, for I was absent at the Time.

Q. Do you know whether Major Palmer was there in the Month of January 1782 ?

A. I cannot charge my Memory ; I cannot precisely tell whether he was, or was not ; I was at Calcutta in the Beginning of the Year 1782.

Q. Whether Colonel Hannay was not dismissed by the Vizier himself ?

A. I have heard he was.

Q. Do you know the Period of that Dismission ?

A. I do not.

Q. Can you state at what Time, within a few Months ?

A. I cannot, for I did not hear till some Time afterwards.

Q. Do you know of his being re-appointed, after being dismissed by the Vizier in 1782, or whenever it was ?

A. He never was re-appointed.

Q. Was he never re-appointed ?

A. Not to my Knowledge : I heard he was dismissed and re-appointed. I do not mean that he was dismissed at the Time that he left the Country, but previous to it.

Q. So that you have heard that he had been dismissed and re-appointed ?

A. I have heard that he had been dismissed and re-appointed.

Q. Can you bring it to your Memory, at what Time he had been dismissed before he came out of the Country ?

A. I cannot ; it was some Time after that I heard it.

Q. Do you know of any Ground that would have prevented the Vizier, Hyder Beg, or any other Part of the Government of Oude, from complaining to the Government of Bengal, if there were Occasion ?

A. None ; I should think he might very easily have complained, if he chose it.

Q. Whether Dr. Thomas was not the Surgeon and particular Favourite of Sujah ul Dowlah ?

A. He was his Surgeon and particular Favourite.

Q. Do you know any Thing of his being a Favourite, or of his Allowance, except from Hearsay ?

A. I have heard him say so myself. He had a particular Disorder, in consequence of which he wrote to Mr. Hastings to send him up, and he was sent up to Oude at the particular Request of Sujah ul Dowlah.

Q. When did you leave India ?

A. I left India the latter End of November 1786.

Q. Do you know when Mr. Hastings left India ?

A. I think he left it in the preceding Season.

Q. Do you know whether Hyder Beg continued in the Service of the Vizier, as his Minister, down to the Time you left India ?

A. I have heard he continued, and is now the Minister.

Q. Do you know whether Mr. Hastings's Power was looked upon to be considerable in England and India, after he had left India ?

A. I do not know for certain ; I have heard so.

Q. Was not such an Opinion common ?

A. Whether it was common or not, I cannot pretend to say ; I have heard such a Thing.

Q. Did you ever hear to the contrary ?

A. Never, that I know of : It is possible I might have heard, but I really cannot charge my Memory.

Q. Whether, from your Observation, you think the Vizier could hope to make an effectual Complaint against any Person supported by Mr. Hastings ?

A. My Observation does not justify an Answer, one Way or the other.

Q. Whether you do not know that Colonel Hannay was re-appointed by the Direction of Mr. Hastings, after he was dismissed by the Nabob ?

A. I may have heard so ; I very likely did hear so.

Q. Whether

Q. Whether you have not heard that Major Osborne was appointed by Mr. Hastings ?

A. I understood that Major Osborne had a Command of a Corps belonging to the Vizier.

Q. Whether that Appointment was by the Recommendation of Mr. Hastings ?

A. I have heard Mr. Hastings was a Friend of his ; but I do not know whether he was appointed by the Recommendation of Mr. Hastings, or not.

Q. Was Major Osborne concerned in the Collection of the Revenue ?

A. Not to my Knowledge.

Q. Did you never hear of it ?

A. I have heard of it.

Q. Did you hear Complaints were made ?

A. I heard there were. An Aumil of Illiabad made a Complaint against him.

Q. Did you hear of any Enquiry made into that Complaint ?

A. Never that I know of. It is possible I may have heard of it ; but I cannot charge my Memory.

Q. Then you do not know that any Enquiry was made into it ?

A. No.

Q. Whether when the Vizier swore by the Prophet he would fly from his Dominions in case Colonel Hannay was sent back, you consider that Phrase of the Vizier as a Complaint ?

A. I do.

Q. Whether the Appointment of Moolevy Mobein was considered by the Natives as a Degradation of the Office ?

A. I should apprehend not.

Q. What was the Estimation Moolevy Mobein stood in amongst the Natives ?

A. Very respectable, by those I heard speak of him.

Q. It has been said he was a Schoolmaster : I would ask, whether the Men of the Law were not obliged to resort to other Employments to get their Bread in that Country, while there were no legal Courts ?

A. Yes, I should suppose they might.

Q. Whether Moolevy Mobein had not been appointed, in Mr. Middleton's Time, to the same Office by Mr. Middleton ?

A. I have heard that he was.

The Managers for the Commons stated, that they wished to establish the Fact of a Paper, upon the Records of the Company, having passed through the Resident's Office, purporting to be a Narrative of a Conversation between Mr. Bristow and Hyder Beg Cawn, on the First of May 1783 ; and read a Passage therefrom.

Then the Paper was shewn to the Witnesses ; and he was asked,

Q. Do you remember such a Paper as this ?

A. No, I do not remember any such Paper.

Q. (*by Counsel.*) I would wish the Witness to be asked, whether Colonel Hannay was sent back to the Country of Oude, after the Letter of Complaint was written ?

Q. What is the Date ?

A. The 15th of September 1782.

Q. Had he left the Country on the 15th of September 1782 ?

A. I believe he had.

Q. Did he ever go back ?

A. Not to my Knowledge.

Q. Do you know any thing of the Circulation of the Copies of the Articles of Impeachment in India ?

A. Yes ; they were in general Circulation.

Q. Do you know when Colonel Hannay died ?

A. I cannot bring that to my Recollection at all.

Q. Are the Revenues that are collected upon the Kistbundy, collected without a Military Force ?

A. Many of them are, if the Country happens not to be in a turbulent State.

Q. Whether the Punishments which you speak of, so inflicted by Colonel Hannay, by Imprisonment in the Way you mentioned, were severe beyond the usual Punishments inflicted in other Places, and by other Collectors ?

A. I

A. I do not think they were, if the Demand were justifiable. They are Punishments which are used in many Parts of India: I mean, Imprisonment and Corporal Punishment.

Q. Were there any Instances of particular Severity under Colonel Hannay's Administration?

A. None, that I know of.

Q. Had Colonel Hannay any Office, Authority, or Employment under the Vizier's Government, except that of collecting the Revenues in the Two Districts of Baraich and Goruckpore?

A. I believe he had every Authority in the Country.

Q. Had he any other Office?

A. I don't know that he had any other Office.

Q. What Kind of Authority do you allude to, when you say, Every other Authority?

A. Every other Authority.

Q. Was that beyond the Two Districts of Baraich and Goruckpore?

A. No.

Q. But in Baraich and Goruckpore?

A. Yes.

Q. I understood the Witness to say, he had an official Authority for the Collection of the Revenues: I understand him now to say, he had Influence. I want to know, whether he had any other official Authority than that of Collector?

A. None, that I know of, except to command the Troops.

Q. I understood the Witness to have said, that Colonel Hannay told him he had set Guards to prevent Emigrations, and threatened Punishments to them that sold their Children: I understood him to have said so; if not, I should be glad the Witness would set me right?

A. I do not recollect saying any such Thing: I recollect having said, upon a Complaint made to Colonel Hannay, that many People made a Practice of selling their Children;—that he had threatened to punish them if they would not forbear that Practice?

Q. (*from a Lord.*) I understood the Witness, (he will set me right if I am wrong), that he saw some Guard at the Bank of the Gogra, and that he heard Guards were placed to prevent Emigrations?

A. I recollect hearing that.

Q. Whether Colonel Hannay took upon him to place Chokies upon the Banks of the Gogra, or any other Places, to prevent Emigration, by virtue of his Authority as Collector; or how did he assume it?

A. I should suppose he had done it by virtue of his Authority as Collector; but I have not said I knew positively that he did, only that I heard so.

Q. The Interference that you suppose Colonel Hannay to have made Use of, either with respect to the selling of Children, or restraining Emigration, did you understand to arise from his Office of Collector, or any other sort of Authority?

A. From his Office of Collector.

Q. Whether those Mud Forts, for the Imprisonment of Persons in the Manner you describe, were according to the ordinary Custom of the Country, or made up in a particular Manner for that Purpose?

A. They were not agreeable to the common Order of the Country.—In Bahar, those who do not pay the Revenue are generally shut up in a Gaol.—There was no Gaol in the Country of Goruckpore and Baraich that I ever heard of, and consequently they must have some Place of Confinement. The Bamboo Pallisadoe Prisons, I understood, were merely temporary, till there should be such a Number of Mud Forts built as would be sufficient to contain the Prisoners.

Q. I understood you to say, it was the Custom of the Country to lay out of Doors, and that these Prisons were uncovered; Whether the Persons confined, the Farmers, or whoever they were, for not paying Rent, whether they were not confined in those open Forts without any Cover, for a Twelvemonth together?

A. Not to my Knowledge; I only saw them for a few Days.

Q. (*by the Managers for the Commons.*) As those Cages or Gaols differ from the ordinary Gaols in Bahar and the other Places, I would ask, Whether, in Bahar, there are not Courts of Justice to which it is necessary to apply, in order to imprison Persons charged with defrauding the Revenue?

A. I do not believe it is necessary for a judicial Process to imprison those who do not pay their Duties to Government.

Q. You do not believe a judicial Process requisite for those that do not pay the Revenue to Government?

A. I do not.

The Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament

Die Martis, 22° Aprilis 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons stated to the House, that finding Mr. Holt was not gone so soon as he proposed, they wished to call him again, for the Purpose of asking him a few Questions, as to the Monopoly of the Resources of the Country of Oude.

Then ROBERT HOLT Esquire, was called in; and asked,

Q. Whether the Trade of Saltpetre is a considerable Branch of Trade in the Country of Oude?

A. It is.

Q. I desire to know, if that Trade is free in the Province of Oude?

A. I understand and believe, it is not free.

Q. Is it under a Monopoly?

A. I have understood it is.

Q. For whose Benefit?

A. I believe for the Benefit of the Resident.

Q. I desire to know, whether there is a considerable Manufacture of Cloths in the Country of Oude?

A. There is.

Q. Is that Trade considerable?

A. Very considerable.

Q. To what may the Export of it amount?

A. I cannot precisely say; but I have heard, to the Amount of several Lacks of Rupees.

Q. Have you heard it was One or Two or £300,000?

A. I have heard it was £200,000.

Q. The Export?

A. The Export.

Q. I desire to know, whether that Trade is free?

A. I understand it is not free; I know it is not.

Q. Is it a strict Monopoly?

A. It is.

Q. Have the Weavers a Power of working for whom they please?

A. I believe they have not. I know the Merchants are not allowed to buy or sell that Commodity.

Q. Does the Prohibition upon the Merchants to buy and sell, extend to the Home Trade, the Internal Trade, as well as to the Export Trade, of that particular Article of Cloths?

A. I am not certain; I believe it does.

Q. For whose Benefit is that Monopoly? for whose nominal Benefit?

A. For the Benefit of Mr. Scott: I believe, in some Measure, under the Orders of the Government of Calcutta.

Q. What is Mr. Scott's Situation?

A. Mr. Scott has the sole Privilege of dealing in Cloths.

Q. From whom does he derive that Privilege?

A. From the Vizier.

Q. What is his Interest with the Vizier, that he should give him a Monopoly of the principal Manufacture in his Dominions?

A. I understood it was at the Recommendation of the Government of Calcutta.

Q. Where are Mr. Scott's principal Warehouses and the Seat of his Business?

A. There is One at a Place called Tannda; another somewhere near Illiabad, where Mr. Scott resides, between Illiabad and Benares.

Q. Whether Tannda is not in, or immediately bordering upon, the Country under the Jurisdiction of the Begums near the Jaghires.

A. I really cannot positively say: It was within about Forty Miles from where the Begums resided.

Q. Do you mean Forty Miles from Fyzabad?

A. Forty Miles from Fyzabad.

Q. Did you hear it was the Phouzdarry or other Jurisdiction of Shujah Cawn?

A. I do not know.

Q. Do you know, or have you any Reason to believe, that, during the Troubles, any Attempt was made to pillage or destroy Mr. Scott's Manufacture at Tannda?

A. I was absent during the Time of the Troubles, and I never heard any Thing of it.

Q. I desire to know, in Explanation of an Answer given by the Witness Yesterday, Whether or no, when he said he had not heard the Report of the Fortune of which Colonel Hannay died possessed, spoken of by above Eight or Ten People, he meant to express that that was the Opinion of those Ten People only, or a general Report?

The House observed, that the Witness had spoken of a Report which he had heard from Ten People, and that to ask him to the Rumour of a Report was going a great Way.

The Managers for the Commons stated, That the Witness had said, he had not heard it from above Ten People; the Question therefore that they wished to ask was, Whether the Witness understood, that that was the Opinion of those Ten People only, or that the Opinion was general?

The Witness was asked,

Q. Whether he understood, from the Conversation of those Ten People, that they were reporting general Rumour, or their own Opinion?

A. They were reporting a general Rumour, and the Belief which they themselves expressed of it.

Q. (*Cross examined.*) I understand you to say, that you heard these Ten Persons report, at Second-hand, the Report of others: Was it Hearsay at Second-hand?

A. Yes.

Q. Whether you know or heard that Saltpetre was a Free Trade in Oude?

A. I do not know that it was.

Q. Do you know, whether Mr. Hastings was, or was not acquainted, with the Fact of this being a Monopoly, and that the Resident had the Benefit of this Monopoly?

A. I do not.

Q. The Witness has spoken to a Monopoly of the Manufacture of Cloths in the Hands of Mr. Scott; I wish to ask, Whether Mr. Scott provided them for the Benefit of the Company, or for his own private Benefit and Emolument?

A. For the Benefit of the Company.

Q. Do you know, whether he had, or had not, a regular Contract with the Company for a regular Supply of that Article?

A. I think I have heard of it.

Q. But do you know any Thing of it yourself?

A. No, I do not, any further than that he had the sole Privilege of buying and selling the Cloths.

Q. Was you ever at Illiabad or Tannda, where the Warehouses were?

A. No—never.

Q. Have you any Knowledge at all of it, but from Report?

A. I have heard a Merchant complain of his not being able to purchase Cloth; that is all the Knowledge I have.

Q. Do you know, whether the Cloth had always been a Monopoly under the Nabob's own Government?

A. I do not.

Q. Do

Q. Do you know, whether Mr. Scott paid any Duty to the Nabob's Government for his Cloths ?
A. I do not.

Q. Do you know, whether the Cloths, the Manufacture of Oude, did or not constitute a valuable Part of the Company's Investments ?
A. I have heard a very considerable Share.

Q. Do you know, whether the Manufacture was much improved and extended by Mr. Scott ?
A. I have heard the Exports were considerably increased, and were considerably increasing when I left the Country.

Q. Do you know, whether Mr. Scott obtained his Situation, with respect to the Monopoly, by the Recommendation of Mr. Hastings ?
A. No, not particularly from Mr. Hastings.

Q. Do you know any Thing of the Manner of his obtaining his Situation there ?
A. I have already said, I understood it was by the Recommendation of the Government at Calcutta.

Q. In what Manner do you know it ?
A. I have heard it.

Q. You said, you only knew the Fortune of Colonel Hannay from Rumour: I wish to ask, whether you had ever heard this Rumour respecting Colonel Hannay's Fortune, before Colonel Hannay had left the Country of Oude ?

A. I have heard he had amassed a large Fortune ; but I never heard it particularly specified till subsequent to his Death, when I heard he died possessed of the Money I have already mentioned.

Q. When did you hear he had amassed a large Fortune ?
A. Some Time before his Death.

Q. (*by a Lord.*) Was that Complaint of the Merchant you speak of, made to you as an Officer of Government ?
A. No.

Q. Did it ever come to the Resident's Knowledge ?
A. I do not know that it did: I am not certain. Upon Recollection, I believe there was a Complaint made to the Resident by this very same Person.

Q. Who was this Person ?
A. A Mr. Graham, an European Merchant.

Q. He made this Complaint, did he ?
A. Yes.

Q. Do you know any Thing of what became of that Complaint ?
A. No ; he only complained of it as a Hardship.

Q. In Conversation ?
A. In Conversation.

Q. Not formally ?
A. No.

Q. (*by the Managers.*) Whether you did not consider the Existence of this Monopoly of Cloth, as a Matter of public Notoriety ?
A. Very public.

Q. Whether, from your Knowledge of the Country, and of the Agents kept by Mr. Hastings, you believe this Monopoly to be a Secret to him ?
A. I think it highly probable he should have heard of it.

Q. Had he not in Oude a Variety of Agents for Intelligence, from almost all the European Merchants ?

No Answer.

Q. Do you know whether Mr. Scott was removed when the rest of the English were removed, after the Treaty of Chunar ?
A. I do not believe he ever quitted the Country, from the Time of my going there to the present Hour: He never was out of the Province of Oude.

Q. You do not know that he ever quitted the Country to the present Hour ?
A. No, except he went to Benares.

Q. (*by Counsel.*) Whether Mr. Scott was in the Company's Service ?
A. He was not.

Q. (*from a Lord.*) You have said, Mr. Scott was not in the Company's Service. I wish to know, whether I understood you right when you said he had a Monopoly for the Service of the Company: How do you explain that? You first said, that Mr. Scott had a Contract from the Company; you have now said he is not in the Company's Service. What do you mean by the Service of the Company?

A. I mean that he is not a covenanted Servant, the same as myself.

Q. Did you understand he had a Monopoly, so as to be responsible to the Company for all the Profits of that Monopoly, or that he contracted with the Company so as to make a Profit of it for his own Use?

A. I did not so understand it.

Q. How did you understand it?

A. That he was accountable to Government for every Thing he received in Consequence of the Monopoly.

Q. Do you know whether he had a Contract with the Company; or do you know in what Manner he was accountable for the Produce of the Monopoly to the Company?

A. The Way I understood it was this: Mr. Scott was recommended to the Vizier as a Person to have the entire Charge of the Cloth Manufactory: That he was to be allowed the sole and exclusive Trade in it; and that it was considered as an Advantage to the Company, by his being able to supply the Cloths for the Investments of the Company. That is precisely my Idea of it.

Q. Do you know any Thing of the Matter?

A. I know nothing more than what I have stated.

Q. But as you understand it, he seems to have a Contract with the Company, to deal with him for what they wanted. Was he paid as an Agent for them? What Profit was there to be got by it, but the exclusive Privilege of selling to the Company?

A. I should suppose there was a great deal of Profit that he might derive from the exclusive Privilege of selling to the Company.

Q. Then he was not paid as Agent to the Company?

A. I know nothing of the Matter.

Q. (*by a Lord.*) Whether the Treasure belonging to Colonel Hannay, was not found in his Chest by his Executors after his Death?

A. I do not know that it was.

Q. Was it Part of the Report that it was so found?

A. It was.

Q. Was it not a general Report?

A. I have heard so.

Q. (*from a Lord.*) The Witness has stated, that Mr. Palmer came up, during Mr. Bristow's Residency, to Lucknow; and that he considered him as a secret Agent to Mr. Hastings; I wish the Witness to explain, what he meant by a Secret Agent of Mr. Hastings?

A. I only mean, that he had not the Authority of the Government.

Q. That he was not employed by the Government?

A. That he was not employed by the Government.

Q. Do you know any Thing of his being an Agent at all for Mr. Hastings?

A. I know nothing, but from those in the Office.

Q. Was he an Agent for Public or Private Affairs?

A. Not for Public Affairs, only Private.

Q. (*from a Lord.*) You have stated that Mr. Scott was accountable to the Company for the whole Produce of the Monopoly; and you have also stated, that you suppose he must have had a considerable Profit, as being the sole Dealer in Cloth; now, I wish to understand how this Profit arose to Mr. Scott, whether by a fixed Salary, or by Agency, or how?

A. It was merely an Opinion I formed—I do not speak of it as a Matter of Fact.

Q. What was it you spoke of then, as to his Profits?

A. I was asked, Whether I supposed there was any Emolument annexed to that Privilege of dealing in Cloth? To which I answered, Undoubtedly there were Profits, because there might be more Cloths than were necessary for the Use of the Company's Investments; the rest he would make Use of for his own Profit.

The Witness was directed to withdraw.

Then

Then the Managers for the Commons acquainted the House, that the particular Circumstances of the Witness just examined having induced them to call him so early, had in some Measure deranged the Plan of Evidence they had laid down; but that they should now begin upon the Method they had originally intended, and which, for the future, they meant to pursue; for this Purpose they desired a Paper already delivered in to the House, namely, the Defence of Mr. Hastings delivered in at the Bar of the House of Commons, might be read.

Read, beginning at Page 210 of the same, as follows (a).

“ Preface to the Fourth Charge.

“ Before I proceed to reply to the Charges respecting my Conduct to the Begums, and on the Affairs of Oude, I must observe that they contain Particulars of which I was totally ignorant until I read them in the Charges. I am therefore very much indebted to the Assistance of Mr. Middleton, and to the Information of Gentlemen who were in Oude when the Transactions alluded to happened. By these Aids, I have been enabled to reply fully to these Charges; and every Assertion in my Reply is capable of Proof, either by Documents now before this Honourable House, or by Evidence ready to be produced at its Bar. For the Convenience of this Honourable House, I shall reply to these Charges, not as they are numbered, but as the Subjects are connected. First, “ The Princesses of Oude;” Second, “ Misdemeanors in Oude;” Third, “ Destruction of the Rajah of Sahlonge;” and Fourth, “ Furruckabad.”

“ Charge the Fourth.

“ PRINCESSES of OUDE.

“ It is certainly not true, that the Nabob of Oude was ever under the Controul of the Bengal Government, in the Extent stated in this Charge. That the Resident, who represented the Council General, had an Influence at his Court, cannot be disputed; but it is notorious that the Acts of the Nabob's Government were, on various Occasions, remonstrated against, and ineffectually opposed by the Resident, as may be seen by the publick Correspondence of Messrs. Middleton and Britton. It cannot, therefore, be admitted, that “ the English Name and Character were concerned in every Act of his Government, or in any not authorized by them.”

“ Allowing it to be true, that the Country of Oude was in a flourishing State before our Interference, surely I cannot be chargeable with the Evils resulting from the System we established, since I gave all the Opposition I could to the first Introduction of it. The System was undoubtedly very defective, and generally prejudicial to the Nabob's Affairs, inasmuch as it necessarily established a Degree of Interference in his Government, undefined by any precise Rule; which, however discreetly used, would not fail to weaken his Authority, and in many Cases to be productive of all the Evils consequent on a divided Government. The Resident, for Instance, though officially competent to no positive Act of his own, found himself, on some Occasions, driven to the Necessity even of opposing the Execution of the Nabob's Orders to the Officers of his own Government, as the only Means of defending the Securities made over to him for the public Claims of the Company; for however willing his Excellency may have been to grant Assignments for the Liquidation of his Debt, he was never very scrupulous of infringing them, when pressed by other importunate Creditors, but has frequently granted Tuncaws upon Aumils, whole Revenue, to its utmost Amount, he well knew had been previously assigned over to the Company. In such Cases the Resident, though invested with no ostensible Authority, would have failed in his Duty, had he not resisted, and exerted every Means in his Power to maintain his Priority of Claim, however conscious he might be that in so doing he weakened the Authority of the Nabob in the Eyes of his Aumils and Subjects in general. This Conduct of the Nabob forced the Resident into a Competition with his Authority, and exhausted the Revenues of the assigned Lands, by giving new Drafts, with new Powers, on what was already pledged to its utmost Extent, which may have been One Source of the Decline of the Nabob's Country, since our Connection with it; but more obvious ones may certainly be traced, in the great and constant Drain of Specie from the Nabob's into the Company's Provinces; in the Supineness and Inactivity of his Excellency's Administration; and, lastly, in the Calamity of Three successive Years Drought, which, if we may judge from the fatal Experience of a single Year's Failure of the natural Rains in our own Provinces, would have left them an entire Waste, without Cultivation or Inhabitants. The Estimate of the Revenues of Oude at the present Nabob's Accession to the Government, as given in this Charge, is fallacious; for, from the Year 1777, when I re appointed my own Agent to the Nabob's Court, the Revenue never amounted to any Thing like the Sum stated, even if the Revenues of Benares were included. Two millions Sterling would have been much nearer the Reality. The Revenue never was equal to the enormous Burthen of the Two English Brigades, with the progressive Liquidation of the accumulated heavy Balance, and the ineffectual Endeavour to realize such Claim, from the common Resources of the Country, was ever a Source of the greatest Embarrassment and Distress to

(a) N. B. The above Number refers to the Page at the Bottom of the Original MS.

the Nabob's Affairs. The Balance on the annual Tuncaws or Assignments was always considerable, but never greater than it was at the Time of Mr. Bristow's first Removal, and Mr. Middleton's Appointment to the Court of Oude, the Beginning of 1777, nor the Confusion in the Country more serious or alarming, as may be proved by the public Correspondence of that Period. But neither shall I, nor the Resident of my Choice, be chargeable with any of the Evils antecedent to that Time, as the whole Powers of Government were lodged in other Hands.

"The most rigorous Means were adopted, and even Threats of Military Execution resorted to in the Time of the late Resident, Mr. Bristow, in the Year 1776, to exact the Payment then made by the Begum; nor would any softer Methods have availed, as she declared "she would sooner throw her Treasures and Jewels into the River, than advance the Nabob a single Rupee." Her Jewels, Cloaths, and Household Utensils, were permitted to be taken in Default of Ready Money Payments, and converted to the Company's Use by public Auction in Calcutta, without any Disapprobation having been signified by the Council General, either of the Principle on which the Claim had been made on the Begum, or the Mode of enforcing it. All Delicacy was necessarily laid aside; and it became "now a Question, whether the Nabob", as Mr. Bristow stated, "should seize his Right, or suffer a Lack of Souls to perish, and the Sovereignty of these Provinces to be transferred to another Family." The Board, so far from disapproving this Doctrine of Mr. Bristow, that Two of the Members, Colonel Monson and Mr. Francis, recorded their Opinion, "That the Begum who succeeded to the Treasures, should pay "all the Sums due to the Company," and Mr. Francis expressed his Astonishment, that the Begum, "in a Country where Women are not allowed a free Agency in the most trifling domestic Concerns," should, as the Condition of yielding up those Treasures, claim an Interference in the Nabob's Government, and "presume to talk of appointing Ministers, and governing Kingdoms." The concluding Words of Mr. Francis are very strong. "With respect to receiving her into the Provinces, I shall have no Objection, provided she can obtain the Nabob's Consent; without that, she can have no Right to remove the immense Wealth she possesses, or even her own Person, out of his Dominions." These were the Opinions of Two leading Members of the Council at that Time, on the Claim set up by the Nabob, and the independant Rights of the Begum; and yet there was then no Accusation against her of notorious Disaffection and Conspiracy. "The Treasures she possessed," Mr. Bristow said, "were the Treasures of the State, as she had not succeeded to them by any legal Title;" the Nabob was, therefore, strictly justified in demanding them; and if there was any Thing in the whole Proceeding which did not accord with the Sentiments of People in general, it was the Part we officiously took to prevent the Nabob's recovering the Whole of his Patrimonial Estate from those who fraudulently withheld it from him. He was charged with the Whole of his Father's Debts; his Life was repeatedly endangered by the Insurrections of his Troops, who had been left many Months in Arrears; and he was moreover divested by us of a valuable Part of his Dominions; and yet we prevented him from availing himself, as he had undoubted Right to do, of the Means which were left him of satisfying those Debts; the Whole of which had been incurred in the Accumulation of the very Wealth he was now contending for.

"It is not true that the Begums were left in Charge of the late Nabob's Treasures, or other valuable Effects, for the Purposes set forth in the Charge of maintaining his Offspring and Dependants; the old Begum, the Mother of Shujah ul Dowlah, is entirely out of the Question, having had no Presents entrusted to her Care, but she became possessed of them in her Capacity of Trustee and Treasurer of the Deceased, who, for some Time before his Death, "deposited the Surplus of his Revenues with the Bow Begum, to provide against an Emergency." Hence the Whole of his Property, of what Sort soever, was in her Custody at the Time of his Death, but still as a Deposit, though from the Hands of his Mother; for they were the Rights of the State which she had in Charge.—But I must repeat, that I disapprove, and still condemn the Interference of our Resident; because we had no Concern in it, and our Credit suffered in the Opinions of Mankind, from the natural Disgust which would be excited by a Contention between a Son and his Mother, and by our Appearance as Incendiaries, instead of Conciliators in it: But no Man could ever assert or believe that it was therefore her own. It was undoubtedly a constituent Part of the hereditary Estate, which devolved to the Nabob Asoph ul Dowlah on his Father's Demise, and as such ought to have been wholly delivered up to him; but the Begum refused to give up any Thing, until coercive Measures were threatened, and then she consented only to the Payment of Thirty, out of One hundred and seventy Lacks, which Mr. Bristow declared, that, on the most moderate Computation, she possessed; and making a Merit even of this Condescension, she was suffered to demand, and actually to exact, from the Nabob, an Encrease of Jagheers to Ten Times the Amount of the Income which had been settled upon the old Begum by her deceased Son, Shujah ul Dowlah, for the Maintenance of herself, and the numerous Family and Dependants of her late Husband, Sufdur Jung. The Agreement thus entered into between the Nabob and his Mother was ratified by Mr. Bristow, without any Authority; but "as the Urgency of the Case rendered it necessary, the Board approved the Ratification." The Board, I have said, approved of it, and I was a Member of the Board, but I was an inefficient Member of it; the Whole of this Transaction having passed under the Order and Guidance of the Majority of the Board, which excluded me from any Share in their Acts, equally in such as I approved, and in such as I disapproved. It will appear, from the preceding Reasoning, that I approved of the Nabob's Assertion of his own Right to re-claim the Treasures of his Inheritance.

Board's Letter to the Court of Directors.

" It is not true that the Women and Children of the late Nabob were left, or intended to be left, dependant on the Bow Begum. They were separately provided for; and though, from the Failure of the Funds assigned for their Maintenance, they were too often subjected to great Inconvenience, they never experienced any Acts of Benevolence from the Begum, beyond an occasional Donation of a few Rupees to the Children, when she condescended, which was indeed very seldom, to permit them to wait upon her. Neither is it true, that the Jagheers were left the Begum by the late Nabob. At the Time of his Death, the Districts which afterwards constituted the Jagheer, were held by the Begum on the Footing of a Farm, under the Name and Management of Jowar Ally Cawn, with whom the Accounts of the same were annually adjusted at the Khalla. To the present Nabob, therefore, she was indebted for the principal Part of her Jagheers.

" The Treaty and Guarantee, though ratified, it would appear, by the Council only because 'the Urgency of the Case rendered it necessary;' and, though the Begum, before Six Months had elapsed, had, by Mr. Bristow's Acknowledgement, "forfeited her Claim to the Protection of the Company, by infringing the Conditions of the Treaty to which they were Guarantees," were most sacredly adhered to by me, until the Misconduct of the Begums and their Dependants, on the Occasion of the Insurrection at Benares, would have made it an Act of the greatest Injustice in the Company to themselves to continue their Protection: The Guarantee was then withdrawn, and the Nabob was permitted to renew and prosecute his Claim to his Inheritance. Previous to that Period the Resident, by my Orders, on all Occasions employed the utmost Influence of his Station, to guard the Begums assumed Privileges from Invasion; and in various Instances, as will appear from his publick Correspondence, did oppose, almost by Violence, the Designs of the Nabob, where they were hostile or offensive to the Begum. He repeatedly went to Fayzabad, purposely to mediate between the Nabob and his Mother, and reconcile mutual Animosities; which, on one Side, were perpetually excited by the Jealousy and interested Views of the Two principal Eunuchs, Jowar and Bahar Ally Cawn; and in every other Instance whatsoever, he invariably shewed that Attention and Respect to the Begum, which was due to her from the near Relation she bore to our Ally. This the Bow Begum herself admitted, observing, in her Letter to Mr. Bristow, "That the Nabob, her Son, had once before threatened to seize her Jagheer, but Mr. Middleton interfered, and prevented it;" and there is not the Shadow of Doubt, that but for this Interposition, his Excellency would long before not only have seized her Jagheers, but have wrested from her the Treasures she unjustly withheld from him.

" The Nabob was permitted to resume the Jagheers, because they were found highly prejudicial to the Revenue of the State, and he granted, to such as were entitled to that Indulgence, Stipends in Money equivalent to the net Produce of their Lands. The Begums were expressly provided for, and the Payments were to be made them, not at the Discretion of the Nabob, but from the Company's Treasury under Charge of the Resident. Where then was the pretended Injury, since the Begums were regularly to receive, according to their own Statement, to the utmost Amount of what they ever realized from their Jagheers? This Proposal was repeatedly made to them in Writing, and fully explained to their Agents, by the Nabob, his Ministers, and the Resident, but was answered with the grossest Indecency and Abuse, and the most violent Denunciation of Vengeance on the whole Country, in case their Jagheers were touched." With respect to the other Jagheerdars, excepting only the Nabob Salar Jung, and a very few others, they were generally the meanest and most contemptible of the Nabob's Subjects, and in no Shape deserving of his Bounty. They were, in short, his Orderlies, and other Persons of that Stamp, the Companions of his looser Hours. The personal Influence of these Men, which was very powerful, was naturally exerted to defeat a Design which so materially affected their Interests, and not without considerable Efficacy, as appeared by the Nabob's subsequent Conduct when the Measure of Resumption came to be carried into Execution. It was on their Account only that any Difficulties were started, and could these Men have been exempted, his Excellency would most certainly have made no Hesitation about the Rest; but it would indeed have been a Disgrace to the Influence which we were supposed to have acquired in his Government, to have suffered a partial Distinction in favour of such unworthy Objects.

" No Injury was intended, or could possibly arise, to the Begums, from the Resumption of the Jagheers; they were found destructive of the Nabob's Revenue, and dangerous to the very Existence of his Government; they had been made the Sources to feed a Rebellion. It was necessary therefore to resume them; and the only Change which the Begums Situation could undergo from it, was the Substitution of the Nabob's Agency, with the pledged Security of the Company's Resident, in lieu of that of their Eunuchs Jowar and Bahar Ally Cawn. No Stipulation was made in Favour of any other Jagheerdars, because the Faith of the Company was not concerned in it.

" The Two distinct Acts, of resuming the Jagheers, and seizing the Treasures, are confounded, and improperly made to originate from one and the same Cause, viz. the Detection of the Begums in the Insurrection at Benares. At the Time that the Resumption of the Jagheers was resolved on, the Conduct of the Begums, though strongly suspected, was not sufficiently ascertained to justify the depriving them of Jagheers held under the Pledge of the Company, without an Equivalent; and accordingly a full Compensation was stipulated. Their Conduct, in openly and most violently opposing, by armed Force, the Nabob's Orders for the Resumption of the Jagheers, though they

were

were not to be Losers by it; their exciting their Agents and other Jagheerdars to unite in forcible Resistance; and, lastly, the subsequent Information which was obtained of their Zeal and Activity in supporting the Rebellion of Rajah ~~Cheit~~ Sing, and spreading its Consequences through the Nabob's Dominions, for the declared Purpose of our Extirpation, were the Grounds of withdrawing the Company's Guarantee, and of the consequent Confiscation of their Treasures. Admitting the Facts alledged in the Resident's Correspondence, and confirmed by the solemn Testimony of so many Witnesses, both Native and European, and of the latter many, (fortunately for my Honour), are in England, who could be no Ways interested in the Issue, no Man surely can dispute the Propriety of this Measure, whether its Justice or Policy be made the Criterion of judging it; most assuredly, no unprejudiced Man in the Country, whether Native or European, ever entertained a Doubt of the Begums having been extremely active in promoting the Insurrection at Benares, and in the Nabob's Country: It remains, therefore, for Justice to decide, whether in so doing they did or did not forfeit their Claim to the Protection of the Company, by which alone they had hitherto maintained whatever they possessed.

" When the Nabob so earnestly desired my Sanction for the Resumption of the Jagheers, he certainly had in View only the Begums and a few others of Magnitude, which he considered protected, either by the Guarantee or Favour of the Company. He could not be supposed to ask my Sanction to the Resumption of Grants, in which the Company's Faith was no Ways concerned; but, being aware that his Excellency intended a partial Resumption, reserving the Jagheers of his particular Favourites, who from their Characters and Conduct ought to be the first proscribed, I determined to defeat the Design, by advising him to make the Resumption general; and he engaged to follow my Advice. The Consequence of this his Excellency did not at the Time advert to; but when he discovered that, by the Spirit of the Agreement, and my determined Adherence to it, he was precluded from shewing any Partiality, and moreover that the Produce of the Jagheers, when resumed, instead of coming immediately into his Possession, was to be appropriated to the Liquidation of his Debt to the Company, for which I expressly stipulated, he became indifferent, and even apparently averse to the Resumption. He was also, as I have already remarked, greatly influenced by the inflammatory Suggestions of Incendiaries and Personal Favourites about him, who counteracted my Designs in all my Proceedings with his Excellency, by dissuading him from a Measure by which their Interests would be so much affected. To those who are personally acquainted with the Nabob, it will not appear extraordinary that all these Causes, combining and operating upon his Mind, should have drawn him into Inconsistencies of Conduct, which to others may seem irreconcilable.

" It is not true that Sir Elijah Impey was at Lucknow when I communicated my Sentiments through him to the Resident, respecting the Begum's Treasures. Sir Elijah was with me at Chunar, and the Resident did avail himself on this and other Occasions of that Gentleman's Presence and confidential Intercourse with me, to ascertain my Wishes on certain Points, which the Multiplicity and Importance of the Business which I was then engaged in prevented my communicating so fully by Letter.

" The English Troops were not employed at Fayzabad until the Nabob formally demanded their Aid, in consequence of hostile Preparations to resist his Claim upon the Begum for his deceased Father's Treasures, which he deemed his own Force unable to repel. The Eunuchs were seized, not for the Purpose of extorting Money, as assumed in the Charge, but as the Agents and principal Instruments of exciting the Insurrections before alluded to, and for actual Rebellion.—The Nabob had declared his firm Intention, by Letters to myself and the Resident, long before he went to Fayzabad, of seizing and severely punishing the Two Eunuchs of his Mother, not only for their shameful and insidious Conduct during the Troubles at Benares, but for their long and unremitted Treachery, particularly to himself, in seeking every Occasion of embroiling him with both his Parents, and openly insulting his Authority; a Conduct they had invariably pursued from the Death of the late Nabob his Father. " They have preserved (says Mr. Bristow, in his " Letter of the 25th January 1776) a total Independence of the Nabob's Authority, beat the " Officers of his Government, and refused Obedience to his Perwannahs." Their Persons were accordingly seized on the Nabob's Arrival at Fayzabad, and secured under a strict Guard of the Company's Troops, the Nabob not thinking it prudent or safe to trust them in the Custody of his own Sepoys, whilst surrounded with such large Parties of their armed Men assembled in the Neighbourhood, who had declared themselves equal to any Contest with his Excellency's Force, and determined on a desperate Resistance, had the Attack upon them at Fayzabad been made by his Strength alone. So confident indeed was the Begum in her own Strength, under her Two Commanders, Jowar and Bahar Ally Cawn, that she did on all Occasions profess to hold the Troops of the State in the utmost Contempt, and opposed them without Ceremony. " Do " not you," says she to Mr. Bristow, " take any Part in the Affair, and then let Asoph ul Dow-
 * Sic in Orig. " lah and Murteza Cawn (the Nabob and his Minister) in whatever Manner they are able, * to take " Sums of Money from me—they will then see the Consequences."

" Upon a Review and due Consideration of the Situation of Affairs at Fayzabad, it appearing that these Two Eunuchs were capable of affording the Nabob the most effectual Assistance in the Recovery of his Claims on the Begum, and that in Fact there was very little Probability of succeeding without their Aid, it was deemed good Policy to tempt them with Assurances of a Mitigation of their Punishment,

Punishment, in Proportion as they might exert themselves in the Business. They, in consequence, promised every Assistance in their Power, and charged themselves with the whole Claim, which, after a tedious Negotiation, was compromised at Sixty Lacks. On the Strength of this Engagement the Eunuchs were permitted, in Custody however of a sufficient Guard, to return to their Habitations in the Town, for the declared Purpose of acquitting themselves of their Obligation, which they owned they could accomplish in Three Days; they, however, broke this Engagement, and were guilty of such Equivocation, Falsehood, and Evasion, produced probably by their Intercourse with the Begums, as rendered it necessary, in the Judgment of the Nabob and his Ministers, to recur to rigorous Treatment as the only Means of bringing them to an immediate Adjustment, which it was well known, from their Situation with the Begums, was within their Reach. The conditional Obligation of their Compromise with the Vizier was, that they should procure the immediate Payment of his Claim upon the Begums, and in Return they were promised Lenity: They wilfully broke the Terms of the Agreement, and it was therefore justifiable to replace them in the Situation in which they would have stood, had no such Compromise taken Place; and they had added to their other Offences the recent Violation of a solemn written Obligation; but upon their again giving the strongest Assurances of satisfying the Nabob's Claim, a new Agreement, under the Sanction of the Begum, was entered into, in which they were allowed One Month, considerably more than they had even asked, to pay up the Balance, and they were in consequence freed from their Restraints, the Nabob returning to his Capital, leaving an Agent of his own with a proper Guard to conclude the Business. It very soon, however, appeared, that this Agreement was meant only to amuse and carry the Nabob from Fayzabad; for at the Expiration of the limited Time very little had been paid, and only idle, fallacious, and insulting Prettexts, with renewed Promises, offered in Excuse for the Failure. Could then the Nabob, who knew that these Men had the Means of satisfying his Demand in One Hour, be blamed for again directing Recourse to Severities, as the last and only Resort? There could be no Doubt of the Ability of the Parties to comply with the Demand; for, notwithstanding the Pretences which were used after the Delivery of the Sum obviously deposited with Bahar Ally Cawn for the Purpose of concealing the secret Hoard in the Begum's own Charge, and the poor Expedient of delivering Jewels and Effects to impress a Belief of her having yielded up all, there is every Reason to suppose, from the best Informations that could be obtained from the Ministers, and others conversant in the late Nabob's Affairs, confirmed by the Testimony of Mr. Bristow, who says, "it is generally believed the Begum has Four Crores in her Possession; but I fancy I may venture to say she has One Crore and Seventy Lacks," that the Claim now made upon her did not amount to One-third of the actual Wealth in her Possession. The Circumstance of her yielding up Jewels, Plate, &c. declaring herself possessed of no other Means of satisfying the Demands, will not appear deserving of Attention, when it is remembered that the same pitiful Expedients, and the same Stories of Poverty and Wretchedness, were practised on a former and similar Occasion. The Nabob's Right was uncontroversible, and the Exigency of his Affairs, with his own and the Company's Troops, who were dependant on his Resources, almost in a State of general Mutiny for their Pay (our Troops Six Months in Arrear) strongly compelling him to assert it (setting aside the Treachery of the Begums and their Agents, and the Political Danger of leaving them with such powerful Means of extending their pernicious Influence) it must rest with this Honourable House to decide the Question, whether it was allowable, "when the Nabob was reduced to such Distress, that his Mother should uselessly keep up immense Treasures," declared to be the Treasures of the State; or how far he was warranted in directing the Course he did, no other being practicable to obtain his lawful Demands.

"In respect to the Eunuchs, it may suffice further to say, that to those who were acquainted with their Conduct during the Rebellion of Benares, and subsequently on the Occasion of resuming the Jagheers, when they marched their Troops in every Direction, for the avowed Purpose of resisting the Nabob's Orders, and in the most unreserved Manner encouraged others to follow their Example, the Treatment they met with cannot appear harsh or undeservedly severe; on the contrary, it was the general Opinion that they merited even Death, and Death probably would have been the immediate Portion, at least of Bahar Ally Cawn, had the Nabob been left uninfluenced to the Gratification of his own well-grounded Resentment.

"I have conducted the Narration of the preceding Detail to its Close, without chusing to interrupt it, or disturb the Attention of my Honourable Hearers by the concluding Observation, which I now think it necessary to make upon it; because I hold the whole Series of the Acts thus connected strictly reconcileable to Justice, Honour, and good Policy, whoever were the Parties concerned in them: But I must at the same Time affirm, that these Acts, whether right or wrong, are not mine, though originating from me, in my Consent yielded to the Nabob at his special Instance, that he should reclaim the Treasures kept back from him by his Mother, and the Jagheers from all the Jagheerdars, and from my subsequent Claim, which I avow to have been most peremptory, that my Consent to a Measure liable to such a Variety of Constructions should not be perverted to an Instrument of private Compromise, or the Consistency of my Character forfeited by its being withdrawn after such rigorous and public Denunciations of it. My last Orders therefore, for its Execution, is all that I am answerable for. The rest depended upon the Instruments which were employed in it, and so little on myself, that I was ignorant of the whole Mode of its Execution, till it was done; and so far as I am concerned in it, the whole Board were equally concerned and unanimous.

“ Upon the Letters of Colonel Hannay and Captain Gordon, quoted by the Bow Begum in Proof of her Innocence of the Conduct imputed to her and her Servants, it is only necessary to observe that they were written at a Time, and under the Impression of the Begums having it very much in their Power to contribute to the Safety, or possibly to the Destruction of Colonel Hannay's Detachment, then in a very precarious Situation in the Neighbourhood of Fayzabad, and at a Time too when our Affairs at Benares were supposed by those Officers to wear an unfavourable Aspect. The Colonel's First Object was to procure Safety for the Person of Captain Gordon, who was at the Mercy of the Begums and their Eunuchs; and for this Purpose he thought no Means so likely to succeed, as declaring an implicit Reliance on their Friendship and Good Faith, and affecting to consider himself under Obligations to them. Captain Gordon, however, most probably owed his Salvation to another Influence: Soon after he fell into their Hands, by the treacherous Conduct of Bahar Ally Cawn's Naib and adopted Son, at Tanda, the News of some successful Operations of our Troops at Benares reached the Begums, and as Affairs began to promise a speedy and decisive Issue in our Favour, it is not surprizing that the Begums and their Agents should endeavour by Acts of Kindness to efface the Impression which they must have been sensible their Conduct had made to their Discredit. This was the Explanation given by Colonel Hannay to Mr. Middleton of the Motives of his Conduct to the Begums at that Period; and the Letters alluded to cannot possibly bear any other Construction, without an Imputation on the Veracity and moral Character of the late Colonel Hannay, which his Reputation and general Conduct in Life will not warrant.

“ The Testimony of Colonel Hannay cannot now be had, but his Explanation to Mr. Middleton of the Motives of his Conduct to the Begums and their Agents at that critical Conjunction of his own and the National Affairs, that Gentleman will be ready at any Time to certify on Oath; and the Evidence of Captain Gordon may possibly throw further Light upon the Subject.”

The Managers for the Commons stated, they thought it very material the several Defences of Mr. Hastings to this Article of the Charge, should appear at Length upon the Minutes; and requested the House to observe, that no Attempt was made, upon the Cross Examination of Major Scott on Wednesday last, to prove that any Parts of the Defence just read, were written by other Persons, so as to be disavowed by Mr. Hastings: On the contrary, they should prove it was admitted by him; that it was revised and corrected by him; and that he avowed the Whole of it to be his Defence.

They would next proceed, therefore, to read the Paper which they called, The Second Defence, delivered in to the House on Wednesday last.

The same was read (a).

Then the Managers for the Commons informed the House, there was not a single true Statement, in any of the Answers to this Article, which went to the Justification of the Defendant; and this they should prove presently, from the Evidence of the Defendant himself.

1st Head of Evidence.

They then stated, That, for the Sake of Elucidation, they should give a short Title or Description of the different Heads of Evidence, as they proposed to call them; and, First, they should submit to the House, what they conceived to be Proof of the high Rank and Title of the Begums, and of the Circumstances which constituted their Claim of Right to the Treasures; and also general Evidence of the high Veneration in which Women in India are held; which they considered as very material in support of the Article now under Consideration.

Whereupon they desired Mr. Brietzke to be called in, to prove a Letter from Sir Elijah Impey to the Secretary of State.

Accordingly Mr. BRIETZKE was called; and being sworn, was asked,

Q. Have you got a Letter from Sir Elijah Impey to Lord Rochford, dated 26th March, 1779, from Fort William?

A. Yes.

The Counsel for the Defendant stated, That, for the Sake of Regularity, they must object to the Production of this Letter in this Stage of the Proceeding, it being necessary, in order to entitle the Managers for the Commons to read the Contents of it, that it should first be made Evidence. That as to the Facts in it, Sir Elijah Impey was in England, and could speak to them, if the Managers thought fit to call him.

The Managers for the Commons observed, That they certainly might examine Sir Elijah Impey upon the Contents of the Letter if they thought fit; but they conceived this to be the best possible Evidence that could be produced; and if the Counsel for the Defendant chose to call Sir Elijah Impey afterwards, they might cross examine him to it.

The Counsel for the Defendant said, They relied upon their Objection.

The Managers for the Commons replied, That when an official Letter was written on a different Occasion, containing Matter of Opinion, not immediately relating to the Trial, but upon a collateral Point, they conceived that Letter to be better Evidence of such Matter than the Testimony of the Party, *viva voce*;—that they wished to read the Letter in question, not with a View to the Guilt or Innocence of the Party accused, but to prove a Custom in India; the Application of which Custom they should afterwards endeavour to make good.

The Counsel for the Defendant persisted in their Objection.

The Managers for the Commons were asked, if they pressed the Point of this Letter being read?

The Managers for the Commons made Answer, that it was a great Object with them to be tenacious of a Principle of this Kind; but in order to save Time, they would waive it for the present, reserving to themselves their Right to read the said Letter in future, if they should think fit; and that they would now call Sir Elijah Impey to prove the Contents of it.

The Counsel for the Defendant still objected.

The Managers for the Commons were informed, that the Objection taken was this; That whatever the Contents of the Letter were, whether matter of Custom or an individual Fact, the proper Evidence of them was the Writer of the Letter, and not the Letter itself: A Letter without Oath being no better Evidence than a Conversation on the same Subject.

The Managers for the Commons observed, That their Object in calling Sir Elijah Impey was to authenticate the Letter: That the Letter was not upon the East India Company's Records, but amongst the Records of the Secretary of State's Office, and kept there *in rei memoriam*; therefore, they should first call Sir Elijah Impey to prove that he wrote the Letter, and then deliver the Substance of the Letter in Evidence.

The Counsel for the Defendant submitted, that when the Managers for the Commons had called Sir Elijah Impey to authenticate the Letter, they would be as far from reading it as they now unquestionably were; for they could only ask him to the Facts, independant of the Letter.

The Managers for the Commons were informed, That when they had proved by Sir Elijah Impey, that he wrote the Letter, the Objection would still remain.

The Witness was directed to withdraw.

Then Mr. ROBERT HUDSON was again called in, and produced Book 6, intituled, "Bengal Letters received, from 16th May 1775, to 20th of January 1776."

Read, the following Extract of a Letter dated 18th May 1775, from the Governor General, addressed to the Court of Directors, No. 19. (Received per Northumberland, 4th April 1776.)

"You will expect, that in the Proceedings against the Begum, the strictest regard will have been paid to her Honour, and every scrupulous Attention observed which the Delicacy of the Oriental Manners prescribes with respect to her Sex, and her Rank and Character particularly demand (a).

[Signed at the End of the Letter]

Warren Hastings."

(a) Vide Appendix, N^o I. It is thought proper to observe in this Place, that, it being ordered by the House, that when a Part only of any Consultation, Paper, or Document is actually read, the Whole of such Consultation, Paper, or Document, as far as the same relates to the Matter of the Evidence so actually read, should be printed in an Appendix to the Evidence upon the respective Charge on which such Extract is read; the References to the same will be by Numbers, in the Order in which such ADDENDA occur.

Read, from the same Book, the following Extract of an Address from the Governor General to the Court of Directors, dated Fort William, 31st July 1775. No. 20. (Received per Northumberland, 4th April 1776.)

“ Mr. Goring was deputed by the Board to divest the Begum of her Authority, to place it in the Hands of the Son of Nund Comar *, to receive from the Begum the Accounts of the Nabob's Expences, and to deliver them to the Gentlemen who were at the same Time appointed to examine and report them to the Board. What private Instructions he received I know not; but one of his first Acts of Authority, after having taken care to impress the Begum with a proper Idea of the Extent of his Power over her own Person, by apprizing her of the Order of the Board for her Removal from the Palace to a remote House in the City, and that the Execution of this Order depended solely on his Option, was to imprison Etwar Ally Cawn, her chief Eunuch, and confidential Servant, on the Complaint of One of the Servants of the Household, respecting a private Grievance, totally foreign from the declared Purposes of Mr. Goring's Commission.—By this Species of Torture inflicted on the Mind of a weak Woman, who had hitherto been accustomed to the gentlest Treatment and most respectful Address from all Persons, of what Rank soever, who approached her, she was compelled to deliver a Paper to Mr. Goring, containing an Account of Two Sums charged to have been paid to Mr. Middleton and myself, each amounting to 150,000 Rupees †.

[Signed, at the End of the Letter]

Warren Hastings.”

Then the Witnesses produced Book 25, intituled, “ Bengal Letters, received from 1st February 1779 to 3d March 1780.”

Read, the following Extract of a Letter, indorsed “ 1780. Revenue Department, Fort William, 29th February. Triplicate separate General Letter, dated the 25th January, and Postscript, dated the 29th January. No. 5. Received per Swallow, 28th July 1780,” from Page 245 of the same Book.

“ Letter from the Board at Calcutta to the Court of Directors, dated Fort William, 25th January 1780.

“ Par. 29. To those who are acquainted with this Country and the Character of its Natives, it is well known that among the stubborn and immutable Usages of a People, who by an unheard of Policy are thus attempted to be dragged within the Pale of our Laws, there are not any that are so intimately blended with their Natures, so interwoven with their very Existence, and a Force upon which were therefore so likely to drive them to Desperation, as those which regard their Women; a Reason for which we presume you will think with us, that Policy and Humanity should in all Situations respect them.

“ 30. And yet with equal Wonder and Alarm we have recently seen the Mandatory Process of the Court directed to a Woman of the highest Cast and Rank (the Rannee of Rajshahsee) who possesses in her own Right the first great Zemindarry in these Provinces.—You will permit us to draw your Attention for a Moment to the certain Consequences of this Proceeding, if that Management had not been employed to avoid them which we cannot hope will always succeed.

“ 31. Secluded as Women of her superior Rank are, and equally ignorant of the Language and Purpose of the Process, it were to a Certainty disobeyed. The Court adhering to its Rules a Capias follows; the Execution of which is probably committed (as in the Case that occasions this Representation) to a Band of armed Ruffians, her House is pillaged, her Temples polluted, the most secret Recesses of her Family violated, and that Sanctity of Character trampled upon, which throughout the East, even in Times of fiercest Hostility, the most barbarous Nations revere in Woman.

“ 32. Happily in this Case these Things have not all occurred; but as the indelible Dishonour of a public Exposure, and that inexpiable Pollution from the insufferable Sense of which, according to their Mode of thinking, there is no Refuge but in Death, would have followed, if the Plaintiff had not been persuaded to withdraw his Action, we state this as another of those Cases, to which we are confident that a feeling and enlightened Nation could never have intended to stretch the Authority of its Laws.

Signed (at the End)

Warren Hastings,
P. Francis,
Edw. Wheler.”

† Vide Appendix, N^o II.

Then the Witnesses produced Book 92, intituled, "Bengal Council of Revenue Proceeding, from 20th January to 8th March 1776."

Read, the following Extract :

" Fort William, 1st March 1776.

" At a Council ; Present,

" The Honourable Warren Hastings, Governor General, President
Lieutenant General Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

EXTRACT of a Letter from C. Goring, W. Marriott, and P. Moore, to Governor Hastings ; dated 26th January 1776—Fort William.

" The Arzees speak so clearly for themselves, they need little Comment thereon ; but we must beg Leave to observe, that we think the Peons sent by the Supreme Court to the Zemindars of Seven Annas Turnlock, have acted in a most unjustifiable Manner, not only in prohibiting his Women from Fire and Water, but particularly in entering their Apartments, which have hitherto by all Governments been held sacred. We hope, Gentlemen, such unwarrantable Behaviour will be taken Notice of by you in the Manner it deserves, as such Acts of Violence and Violation of the Hindoo Laws must tend not only to disgrace us as a National Body with the Natives, but likewise to breed a Disgust in their Minds, that may tend to the most serious Consequences (a)."

Then the Witnesses produced Book 93, intituled, " Bengal Revenue, from 20th April to 30th July 1779."

Read, the following Extract :

" Fort William, the 27th July 1779.

" At a Council ; Present,

" The Honourable Warren Hastings Esquire, Governor General, President ;
Richard Barwell, }
Philip Francis, } Esquires.
and
Edward Wheler, }

Sir Eyre Coote, absent.

" TRANSLATION of the Petition of Joy Durgah, Chowdranee of Pergunnah Bamindungah.

" The Pergunnah Bamindungah is my Zemindarry. It is now near Two Months that Two Peons have seated themselves at my Door, and say they are from the Supreme Court, with a Warrant at the Suit of Mr. Feake. I am a Widow, and have concerned myself with nothing but the Business of my Mulguzary : I have neither been a Servant of the Company, or of any Individual European, and am entirely ignorant of the Customs of the Court of Calcutta. This I am willing, if called on, to take Oath of. Besides which, I am a Woman of some Character, whose public Attendance on a Court of Justice would entail on her a Disgrace she could never surmount.

" A true Translation.

(Signed)

R. Goodlad."

The Managers for the Commons stated, They should next produce a Letter from the Bhow Begum to Mr. Hastings, received the 20th December 1775, in which she states the Situation she was left in by Shujah ul Dowlah.

The Witnesses produced Book 78, intituled, " Bengal Secret Consultations, from 29th Nov. 1775, to 8th Jan. 1776."

Read, the following Extract, beginning at Page 423 of the said Book.

" Fort William, the 21st of December 1775.

" At a Council ; Present,

" The Honourable Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell } Esquires.
Philip Francis }

" The Governor General lays before the Board the following Letter from Bow Begham, Mother of the Nabob Asoph ul Dowlah, received by her Servant Coja Shagoon Ally Cawn.

" I went to the Nabob when the Hour of his Death approached, and asked him, to whose Charge he left me? He replied, ' Apply to Mr. Hastings whenever you have Occasion for Assistance; he will befriend you, when I am no more, and will comply with whatever you may desire of him (a).'"

Read, also, from Page 440.

" Do you act in such a Manner as to secure the Prosperity of this Family; by which your Name will be transmitted with Honour to the latest Posterity, for having preserved your Friendship to the late Nabob beyond the Grave (b)."

Then the Witness produced Book 90, intituled, " Bengal Publick Persian Correspondence, sent 1778; received per Ganges 24th February 1781."

Read, the following Extract of a Letter from Mr. Hastings to the Vizier, written 3d April 1778.

Extract from
a Letter to the
Vizier, written
3d April
1778.

" The Duty of Children towards Parents is enjoined by all Laws, and the Breach of it condemned by all Nations: This is a general Obligation, which is binding on all Mankind; but the Bhow Bhegum, exclusive of her maternal Right, has a particular Claim to your Excellency's Affection and Kindness, as you owe to her Intercessions with the late Nabob, not only your Elevation to your present Greatness, but a still more valuable Blessing.

" I need not point out to your Excellency the Example of your Father, whose whole Conduct to the Bhegums was not only marked with Kindness and Respect, but with Bounty, in the Establishment of a handsome Provision for them. It is incumbent on your Excellency to imitate him, and, by the Observation of such a Conduct as your Duty requires, to remove every unfavourable Imputation, to conciliate the good Opinion of the World, and, in short, to constitute yourself a Pattern to others.

" The Bhow Bhegum has a publick Title to my Interposition for the due Maintenance of all the Rights which she possesses, in virtue of the Treaty executed between your Excellency and her, as Mr. Bristow, at your Request, pledged the Honour of the Company for the Performance of it: I am therefore compelled not only to solicit, but to require, by Right of the Guaranty*, that you do not, either directly or indirectly, deviate from the Treaty, but fulfil it in every Instance (c)."

Then the Witness produced Book 84, intituled, " Bengal Secret Council, from 4th September to 21st October 1783."

Read, the following Extract of a Letter from Major James Brown, of the 9th of August 1783, inclosed in a Letter from Mr. Bristow to the Board, dated the 23d of August 1783.

" Fort William, the 29th September 1783.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President.

John Macpherson, and } Esquires.
John Stables, }

Edward Wheler Esquire, absent up the Country.

" Sir,

" I have just received your Letter of the 5th instant, with its Inclosures.

" The Evening of the 7th, at a Conference I had with Mirza Shuffee Cawn, he introduced a Subject respecting the Nabob Vizier, which however disagreeable it may be to you to know, and consequently to me to communicate, I am under the Necessity of laying before you.

" He told me that he had received Information from Lucknow, that by the Advice of Hyder Beg Cawn, the Vizier had determined to bring his Grandmother the Widow of Sufdat Jung, from Fyzabad to Lucknow, with a View of getting a further Sum of Money from her, by seizing on her Eunuchs, digging up the Apartments of her House at Fyzabad, and putting her own Person under Restraint. This he said he knew was not an Act of our Government, but the meer Advice of Hyder Beg Cawn, to which the Vizier has been induced to attend. He added, that the old Begum had resolved rather to put herself to Death, than submit to the Disgrace intended to be inflicted on her: That if such a Circumstance should happen, there is not a Man in Hindostan who will attribute the Act to the Vizier, but every one will fix the Odium on the English; who might easily, by the Influence they so largely exercise in their own Concerns there, have prevented such unnatural Conduct in the Vizier.—He therefore called on me as the English Representative in

Secret Dep.
Monday.

Enclosed in
Mr. Bristow's
Letter, 23d
Aug.

(a) Vide Appendix, No IV.

(b) Vide Appendix, No IV.

(c) Vide Appendix, No V.

this Quarter, to inform you of this, that you may prevent a Step which will destroy all Confidence in the English Nation throughout Hindostan, and excite the bitterest Resentment in all those who by Blood are connected with the House of Sufdae Jung. He concluded by saying, that if the Vizier so little regarded his Family and personal Honour, or his natural Duty, as to wish to disgrace his Father's Mother for a Sum of Money, let him plunder her of all she has; but let them send her safe up to Delhi or Agra; and, poor as I am, I will furnish a Subsistence for her, which she shall possess with Safety and Honour, though it cannot be adequate to her Rank.'

" This, Sir, is a most exact Detail of the Conversation, as far as related to that Affair, on the Part of Mirza Shuffee Cawn. On my Part I could only say, that I imagined the Affair was misrepresented; and that I should write as he requested. Let me therefore request, that you will enable me to answer, in a more effectual Manner, any further Questions on this Subject.

" As Mirza Shuffee's Grandfather was Brother to Sufdar Jung, there can be no Doubt of what his Declaration means; and if this Measure of distressing the old Begum should be persisted in, I should not, from the State of Affairs, and the Character of the Amir ul Omrah, be surprized at some immediate and violent Resolution being adopted by him.

" Deig, 9th August,

" 1783.

I am, &c.

(Signed)

James Browne."

" A true Copy.

(Signed)

J. Hill,
Assist' to the Res."

Then the Managers for the Commons stated, They had stronger Evidence to prove, in what Estimation the Women in India are held, according to the Manners and Customs of that Country; namely, that those who had attempted to make Laws for the Regulation of the Courts of Justice for the English Government in India, had found the Laws and Rules of Evidence, and the Mode of Process so different, that notwithstanding their extreme Attachments to our Modes, they had been obliged to bend to the Customs of India; for which Purpose they should produce a Body of Laws, by Sir Elijah Impey, for the Regulation of the Courts of Sudder Dewannee Adawlut, and from thence shew it was his Opinion, that with respect to the summoning of Persons to appear as Witnesses, an Exception should be made in the Case of Women; and though the Paragraph about to be produced was of inconsiderable Length, it was sufficiently strong to prove the Custom and Manners of that Country.

The Witness produced a Book, intituled, " Regulations for the Administration of Justice in the Courts of Dewannee Adawlut, passed in Council, the 5th July 1783. With a Bengal Translation, by Jonathan Duncan."

The Witness was asked,

Q Whether that Book was transmitted from Bengal to the Court of Directors?

A Yes.

Read, the following Extract, from Page 75 of the same Book.

" If such Parties have any Witness to produce, and for that Purpose the Courts of Mofussil Dewannee Adawlut may, on the Requisition of any Plaintiff or Defendant, or their Vakeel, issue a Summons to such Witness, as the Parties shall name, (not being a Hindoo or Mussulman Woman of a Rank or Quality which, according to the Prejudices of the Country, would make it improper to compel her to appear in an open Court of Justice), specifying at whose Request the Summons shall have issued, and requiring them to appear in the Mofussil Dewannee Adawlut, on a Day named in the Summons."

Manner of
summoning
Witnesses,
and taking
their Evi-
dence.

Read also, from Page 81.

" And in case of any Witness being a Hindoo or Mussulman Woman, of a Rank or Quality which, according to the Prejudices of the Country, would make it improper to compel her to appear in an open Court of Justice, the Courts of Mofussil Dewannee Adawlut are hereby authorized to depute or commission Three credible Persons, being Women, who shall be called *Dyes* (such Women being first sworn to execute the said Commission faithfully and truly), to administer, either an Oath, or such Declaration as is before required from Persons of high Rank, according to the Discretion of the Judge and the Religion of the Witness; and to examine such Witness, on written Interrogatories delivered to the Persons so deputed by both Parties or their Vakeels, if both Parties shall desire to examine such Witnesses."

Manner of
taking the
Deposition of
Hindoo or
Mussulman
Woman, who
cannot appear
in open Court.

The Managers for the Commons observed, that they proposed to shew, by the above Extracts, that the whole Course of Examination of Witnesses and Justice was

entirely changed, to conform to the Customs of India, where Women were concerned.—That they would next call Sir Elijah Impey; but they thought it right to apprise the House, they were not going to examine him to the many material Points to which, in the Proceedings upon this Article, it might be necessary to call him. The Drift of their present Examination would be, to establish still more explicitly the Certainty of the Customs and Prejudices relative to Women in India—a Point, in their Opinion, very material to the right understanding of this Article of the Charge.

Whereupon, Sir ELIJAH IMPEY was called in; and, being sworn, was asked,

Q. Whether he recollected to have written a Letter to the Secretary of State on the 26th of March 1779?

A. I have had the Honour of writing several Letters to the Secretary of State: I do not recollect the particular Dates: If the Letter was shewn me, I should recollect the Substance.

Then a printed Paper was shewn to the Witnesses, who said,

A. I recollect this Letter.

Q. Whether you recollect this Passage in that Letter?

Before the Passage was read, the Counsel for the Defendant desired to know, whether the Letter was recorded upon the Consultations; if not, they should object to the Question.

The Managers for the Commons were informed, that the House understood the Letter to be a Letter to the Secretary of State, and not recorded upon the Consultations; and they supposed the Honourable Managers meant to interrogate the Witness upon the Subject Matter of that Letter.

The Managers for the Commons answered, Certainly, they did mean to examine him to the Subject Matter of that Letter.

The Counsel for the Defendant relied on their Objection, stating, that the regular Mode was, to examine the Witness to his Memory of what he knew, exclusive of the Letter, which contained only his Opinion at the Time, and that not upon Oath.

The House observed, that the Opinion of the Witness, as to any Thing he said upon a former Occasion, not upon Oath, was not in its own Nature Evidence; but that it was very easy to interrogate him to his own Memory of the Subject Matter of the Letter in Question.

Then the Witness was asked,

Q. Whether a Woman, Hindoo or Moor, if not of the Outcast of the People, can by any Treatment be provoked to apply to a Court of Justice, if she must make her personal Appearance?—Do you take the Drift of the Question?

A. I do. I have never known an Attempt made; but, from what I have understood of the Customs of the Country, I believe she could not be induced to do it.

Q. Whether an Accusation against her, if she were obliged to appear in a Court to make answer, would or would not be equivalent to a Capital Sentence against her?

A. As far as a Capital Sentence would affect her Life, I believe the Proposition to be true, that she would rather suffer Death—that she would put herself to Death, rather than be put into such a Situation. But when I say this, it is not from absolute Knowledge; it is from Reports I have had of the Customs of the Country.

Q. Whether upon those Reports, and the Ideas you conceived of the Customs of the Country from them, you have not grounded judicial Opinions and judicial Regulations?

A. Very early after my Arrival in Bengal, I wrote a Letter to the Secretary of State, in which I represented the Situation of the Women of Rank in that Country, in hopes that Regulations might have been sent from England to give them Relief. When I was afterwards appointed Judge of the Sudder Dewannee Adawlut in Bengal, I was desired to make Regulations for the Administration of Justice in that Court, and in the Courts which appealed to that Court: I then made Regulations, conformable to those Ideas which I had communicated to the Secretary of State.

Q. And those were also conformable to the Ideas you have now represented of the Customs of the Country, with respect to Women?

A. They

A. They were ruled by those Ideas. I was going on with a further Explanation : I was going to mention, that, in my judicial Capacity of Chief Justice of the Supreme Court of Judicature at Fort William in Bengal, when a Woman of Rank was indicted for a Felony, I strove all I could to prevent her from being brought personally before a Court of Justice ; conceiving that, if she had been put into a Situation to be brought publickly into a Court of Justice, it would have been nearly equivalent to having a Sentence passed upon her.

Q. Whether any Officers of a Court of Justice could enter the Walls of the Zenana, to recover Property claimed by any Person, or for any other Purpose, either in the English Court of Justice, or in the Courts of the Country ?

A. I cannot account for what Force might do ; but it would be a great Breach of Decorum, and of the Customs of the Country, to permit it ; and the Supreme Court would, I have no doubt, if Complaints of that Sort had been made of their Officers, have severely punished them for the Intrusion, except they had first applied to the Court ; but, during the Time that I was Chief Justice, there never was any Complaint made to the Court of any Thing of that Nature.

The Counsel for the Defendant being asked, if they had any Questions to put to the Witness, informed the House, That as they understood the Witness would be called again, they should postpone any Examination of him till that Time.

Q. (from a Lord.) The Witness has stated, the Reluctance the Women in that Country have to appear in a Court of Justice ; and has said, they would rather suffer Death than so appear ; I wish to understand, Whether the Witness means, so appearing in a Court of Justice, or so appearing in Publick ?

A. I mean, appearing in Publick ; Courts of Justice being publick.

Q. How then do they proceed against those Persons, in a criminal or civil Way ; what is the Process against them ?

A. I do not know whether the Question relates to the Supreme Courts, or to the Country Courts.

Q. (from a Lord.) In one, or the other, or both ?

A. With respect to the Supreme Courts, I know but of One Instance of a criminal Case, which I have mentioned ; there was no Distinction whatsoever as to the Process, nor were we enabled to make it : With regard to civil Suits, they were proceeded against, as all other Persons are ; but it is not necessary, in civil Suits, for them to make their personal Appearance.

Q. Do you know any Thing of their Manner of Proceeding by the Laws of the Country ?

A. Of that I know nothing ; that is, nothing that I could speak to with Certainty.

Q. By what Means is Property, improperly detained in the Zenana, to be recovered ; by what Process of Law ?

A. The Process of Law in the Supreme Courts, must have been the ordinary Process ; there was no other Process ; and upon an Application to the Court, though they might have thought it wrong, and might have punished an Officer for entering the Zenana originally, without an Application to the Court ; yet, if an Application had been made, stating to the Court, that Property was secreted in the Zenana, and was refused to be delivered up, I doubt not but the Court would have given the Officer an Authority to break it ; because it would then have been the Fault of the Person herself, to elude Justice.

Q. (from a Lord.) Then I understand, after Sentence, the Zenana may be entered by the Officers of Justice ?

A. I never had Occasion—There being no Complaint, it was never in my Knowledge that the Zenana was forced in any Instance.

Q. Whether in the Description you have given of the Process in Execution, you do not mean the Process of the Supreme English Court at Calcutta, and not the Process of the Country Courts ?

A. I mean, the Process of the Supreme Court.

Q. Proceeding by English Laws ?

A. Proceeding by the English Laws.

The Witness was directed to withdraw.

The Managers for the Commons acquainted the House, they should next proceed to produce some Historical Evidence to this Point, to shew not only the Customs with respect to the Privacy observed by Women of Rank in that Country, but also the high Authority they hold in the State, their great Power and ample Revenues, and the profound Respect and Submission of their Children, even in the Person of the reigning Prince himself, towards his Mother.

This Historical Evidence they proposed to read from, *The History of the Growth and Decay of the Ottoman Empire*, by Prince Demetrius Cantemir.

The Counsel for the Defendant objected, that it would be first necessary to lay some Ground for the Production of this Evidence; at least, it should be shewn, that the Laws and Customs of Constantinople were the same as those of Hindostan; and even then it might admit of considerable Doubt, whether such a History could be admitted in Evidence.

The Managers for the Commons made Answer, that the Ground they laid for the Production of this Evidence was, that wherever the Mussulman Faith prevailed, the Manners, Customs, Orders, and Constitutions, of the several Countries were, nearly, if not altogether, the same; in particular, that the Mussulman Faith enjoined the greatest possible Submission and Reverence from Children to their Parents, and more especially to their Mothers, as would appear also from the Khoran.

The House informed the Counsel for the Defendant, That the Ground on which it was contended this Evidence should be produced was, that a general History, though not Evidence of a particular Fact, was Evidence of the Customs and Manners of the Place which are the Subject Matter of such History: That it had been alleged, the Mahomedan Religion was the prevailing Religion of Indostan, and it was proposed to prove from this History, which had been stated to the House as the History of a Mahomedan Country, that the Custom insisted on was a Custom of the Mahomedan Religion.

The Counsel for the Defendant were asked, in what Manner they stated their Objection?

The Counsel for the Defendant replied, That, to make the History in Question applicable to the East Indies, it was necessary for the Managers to shew, that the Religion of Mahomed was uniform in every Country in which it prevailed. That they were ready to admit the Khoran was obligatory upon all; but if a Comment only on the Khoran were produced, they could not be bound by it. For the same Reason, a History of the Customs of Constantinople was no Evidence of the Customs and Manners of Indostan, unless it were first shewn, that the same identical Custom, there stated, prevailed also in India.

The House agreed with the Counsel for the Defendant, that a general History is no Evidence to prove a particular Fact, nor to prove a Custom in any other Country, than that to which the History particularly relates. But it was very difficult, without seeing the Passage proposed to be read, to know whether it applied. If the Passage was produced to prove a Custom, historically, of the Mahomedan Religion, as applied closely in that Manner, it was Evidence. But the next Question would be, Whether, if it were not proved that the Mahomedan Religion prevailed exactly in the same Manner in Indostan, it would be applicable in respect of that Country; however, that was rather a Question upon the Effect, than upon the Competency, of the Evidence.

The Managers for the Commons stated, that, after what had fallen from the House, they would only cite, in support of the Doctrine they contended for, *The Law of Nisi Prius*, Page 248. "Camden's Britannia would not be Evidence to prove a particular Custom; but a general History may be given in Evidence to prove a Matter relating to the Kingdom in general."

The Counsel for the Defendant said, Their Objection was, that Camden's Britannia was no Evidence to prove a Custom in France.

The House informed them, That if the Passage proposed to be produced went to prove an universal Custom of the Mahomedan Religion, the Managers for the Commons might read it.

Then the Managers for the Commons delivered in a Book, intituled, "*The History of the Growth and Decay of the Ottoman Empire*, written originally in Latin, by Demetrius Cantemir, late Prince of Moldavia: Translated into English from the Author's

Author's own Manuscript, by N. Tindal, M. A. Vicar of Great Waltham in Essex."

Read, Extract from P. 297, of the same Book.

" Annotations (36.) Sultana Mother.]

" Valide Sultana. This Name is appropriated to the Mother of the reigning Sultan, and she cannot be so called before her Son is arrived to the imperial Dignity, or after his Deposition, because none but Mahomet Fatih and Selim yauvue have happened to mount the Throne in their Father's Lifetime. The Sultans have always treated their Mothers with great Respect, in Compliance with the divine Precepts and those of the Koran. They can not only introduce and change many things at Pleasure in the Seraglio, but also the Sultan is forbid by the Laws to be with any of the Women kept there without his Mother's Consent. Every Day, during the Feast of Bairam, the Sultana-mother presents a beautiful Virgin, well educated, richly dressed, and adorned with precious Stones, for her Son's Use; and though the Vizir and the Rest of the Bashaws send, among other Things, young Virgins for Presents to the Emperor, yet he touches none of them but what is brought him by his Mother. If the Sultan has a Mind to chuse a Concubine unknown to his Mother, he may indeed do it without Opposition; but he is reckoned to have acted contrary to the Rules of the Seraglio and against his Mother's Honour. Very often the Sultan communicates to his Mother the Affairs of State, as Sultan Mahomet is known to have done; and sometimes she has Conferences with the Vizir and Mufti, under a Veil, that she may not be seen, and recommends to them Faithfulness to her Son. Whenever she is sick, the Hekim-effendi, or chief Physician, is brought into her Bedchamber, but he speaks to her through a Veil hung round her Bed; and, if he must feel her Pulse, it is through a Piece of fine Linen cast over her Arm; for it is reckoned as unlawful for any Man to see the Sultana sick, as in Health. Her Revenues consisted of above a thousand Purfes, raised out of the Provinces of the Empire, and for the collecting of them there is an Officer appointed, named Kiehudai Valide Sultan, which is a Place of great Honour. She does what she pleases with her Money; sometimes, in a case of Necessity, she lends Money to the Treasury, and at other times raises Soldiers for the publick Service, as the Mother of the present Ahmed III. is reported to have done during the War with the Muscovites."

Read, also, from Page 293 of the same Book.

" And though the Turks generally chuse to be called only, after the Names of the Prophets, yet they do not reject the Names of the Two fiercest Creatures, Arslan, Lion; and Caplan, Tyger; nay, the Sultana Mother calls her Son, notwithstanding he is Emperor, no otherwise than Arslanum, My Lion. For it is an Affront from any one, but the Sultan's Father, to call him by his proper Name. On the other Hand, the Name of Padishah, which is given him by all others, seeming to derogate from a Mother's Authority over her Son, a middle Way has been found out, and allowed only to his Mother, namely, to call him, Lion."

Then MAJOR BROWN was called in; and, being sworn, was examined as follows:

Q. Where, and in what Capacity was you, in August 1783?

A. I was the English Resident at the Court of the King Shah Allum, and at that Time we were encamped at Delhi.

Q. Was you in a Situation to have an Opportunity of judging, of the Opinion of the Court of Delhi, respecting the Conduct of the English Government?

A. Certainly, I was in a Situation to form an Opinion, of what they thought of our Government; but, at the same Time, it was not likely they should communicate that Opinion to me, considering me as the Representative of that Quarter; except in Instances where it might be favourable to us.

Q. What was the Opinion at Delhi respecting the Rank, Quality, and Character of the Princesses of Oude, or of either of them?

A. The elder Begum was looked upon as a Woman of high Rank. She was, I believe, the Daughter of Saadit Alli Cawn, who was a Person of high Rank in the Time of Mahommed Shah.

Q. Do you know, whether any Woman in all Indostan was considered of superior Rank or Birth?

A. I believe not, except those of the Royal Family.

Q. Did you write a Letter to Mr. Bristow, the Resident at Oude, relative to the Report concerning the Begums, in August 1783?

A. I think I did: I think it was on the 9th of August, I wrote a Letter, containing the Substance of a Conversation I had had with Mirza Shuffee Cawn, upon the Subject of the Begums.

Q. Who was Mirza Shuffee Cawn?

A. He was the Second Person of the Empire, and commanded the King's Army.

Q. What particularly induced you to write that Letter to Mr. Bristow?

A. I did it at Mirza Shuffee's Request: He desired me, as the English Agent in that Quarter, to write that Letter.

Q. Do you know, upon what Ground, the Reports of the intended ill Usage of the elder Begum gained such Credit with Mirza Shuffee?

A. The Intelligence he had was from his own News-writers, a Set of People employed to gain Intelligence; and the Reason why he believed it, I suppose, was in consequence of some coercive Measures being used towards her by the Vizier; he received Intelligence respecting some Measures that had been used.

Q. What Sensation did it occasion at the Court of Delhi?

A. I really don't know: I was not at the Court of Delhi at the Time these Transactions took place; they had taken place a Year before.

Q. What Sensations did you observe in the Court of Mirza Shuffee, and in the Camp, at the Time you were there?

A. I do not recollect any, except the one detailed in that Letter; I do not remember ever hearing it mentioned but upon that Occasion; the Letter expresses in Terms some Repentment; and I believe he was related in Blood to the Begum.

Q. Was you at Delhi after you wrote that Letter?

A. I was.

Q. How long did you continue there?

A. I was there from December 1783, to May 1784.

Q. Did you never, in that Period, hear of the Transactions relative to the Begums in 1781 and 1782, mentioned at Delhi?

A. I do not recollect that I did.

Q. Have you no where stated, that that Intelligence relative to the Begums, made a bad Impression at the Court of Delhi?

The Counsel for the Defendant objected to this Question being put.

Q. Do you recollect, whether it did, or not, make a bad Impression at the Court of Delhi, or your ever having entertained an Opinion to that Effect?

A. None but from the Conversation detailed in that Letter, I do not recollect any other Occasion; but, from what is mentioned in that Letter, it had made a bad Impression upon the Minds of those People to whom it was related.

Q. Have you had an Opportunity of observing the Customs of that Country, with regard to the particular Veneration and Respect paid to the Women of high Rank?

A. I have.

Q. What is your Opinion upon that Subject; what Observations have you made upon the peculiar Respect paid to Women of high Rank in that Country?

A. It is exceedingly high, and exceeding any Thing we can compare it with in our Customs.

Q. Have you had the like Opportunity of making Observations, with respect to the Affection and Duty of Children towards their Parents?

A. Yes; in the Course of the many Years I was in the Country, I had Opportunities of observing it.

Q. What was the Result of those Observations?

A. That the Respect for Parents is very high in that Country, and that it extends to all Descriptions of People.

Q. Are there any Peculiarities in the Manner of shewing that Respect, which you have had an Opportunity of observing, as the Custom of the Country?

A. Such as are manifested in all Parts of the World, only in a more extensive Degree; for you may meet with People of a very bad Character, in other Respects, that are attentive as Children in their Duty towards their Parents.

Q. From your Observations on the Manners and Customs of that Country, what Effect do you think a Threat to remove a Woman of high Rank from the Zenana would have upon her Mind?

A. I should suppose it would make an Impression equal to the highest Disgrace almost that could be inflicted upon her.

Q. Do you mean being removed in any forcible Manner, or how?

A. Being removed in a forcible and disgraceful Manner; not being removed by her own Consent, or in a Manner becoming her Rank.

Q. Whether

Q. Whether that Impression would be aggravated, if the Son was the Instrument either of the Force or Disgrace, or whatever the Cause of that Impression was?

A. No doubt it would.

Q. Had you any Reason to believe, that the Begums were engaged in any Design to extirpate the English?

A. I know no more of it than as from Report; I was not upon the Spot at the Time it happened.

Q. At Delhi, while residing there, had you any Reason to believe, that the Begums had entered into an Association for the Purpose of extirpating the English?

A. I never heard any Thing upon the Subject at the Court of Delhi; it was not the kind of Subject they would be likely to converse with me about.

Q. Was it, or was it not, Part of your publick Duty, to have informed yourself of any Circumstance that related to an hostile Alliance against the British Government?

A. Certainly, of any Thing that happened at the Time I was there; but this happened a Year and a Half before I went there, and I was not instructed to make any Enquiry into it.

Q. Whether, in any Negotiation or Treaty with any of the different Princes of the Country, any Circumstance came within your Knowledge, that indicated such a Disposition in the Begums?

A. No; I don't recollect there ever did.

Q. (*By the Counsel.*) The Witness has said, that he wrote a Letter upon the 9th of August to Mr. Bristow, upon the Subject of a Conversation he had with Mirza Shuffee Cawn; I wish to know, Whether he did not receive an Answer to that Letter, bearing Date the 21st of the same Month of August 1783?

A. I did.

Q. Did that Answer state, that the Report in the Conversation was entirely without Foundation?

A. It did, and he instructed me to inform Mirza Shuffee that it was groundless.

Q. (*by the Managers for the Commons.*) Whether, or no, the Attempt, which Mr. Bristow authorized you to deny, was not a Second Attempt of the same Kind as that made before upon the Begums?

A. It was a Second, no doubt; the other had been carried into Effect about a Year before.

Q. (*by Counsel.*) I only wish to ask whether it was not the Attempt which was the Subject of your Letter of the 9th of August 1783 that was contradicted by the Letter of the 21st of August 1783; was that the only one you ever wrote about?

A. Yes: It was the only One.

Q. (*from a Lord.*) Whether in that Conversation with Mirza Shuffee Cawn, of which you have given an Account, he did, in speaking of what I now understand clearly to be a Second Attempt, express in any Terms whatsoever any Resentment of the former Attempt?

A. He did not positively refer to a former Attempt, but he spoke of the Attempt that was then suspected in Terms of Resentment, and as a Disgrace in which he participated, as being related by Blood to the House of Suffder Jung, who was the Husband of the old Begum.

Q. Am I to understand you to say, that Mirza Shuffee Cawn expressed his Resentment of the supposed Second Attempt, in Terms that implied general Resentment of any Indignity offered to the Begum?

A. Yes; I think the Terms in which he expressed himself did imply that.

Q. The Question put to you is, whether the Terms in which he expressed his Resentment, implied a general Resentment against all Indignities that might be offered to the Begums?

A. I think they did. They are clearly recited in the Letter; I believe literally as the Conversation passed between us.

Q. What Distance is Delhi from Lucknow?

A. About 120 Miles.

Q. (*by Counsel.*) The Witness having spoken of an Opinion entertained at Delhi upon some Transactions he has stated, I wish him to be asked, in what Estimation at Delhi, and other Parts of India where the Witness has been, the Character of Mr. Hastings was held?

A. Mr. Hastings was considered as a Man of considerable Abilities; as a Man that had held a high Office for a Length of Time, and was respected in the Exercise of it: But doubtless Men speak more or less favourably of him, according as they have been served more or less by him; he was not universally spoken of in the same Manner, but generally in the Terms I have mentioned.

Q. (*by the Managers.*) Was you employed at the Court of Delhi by Mr. Hastings individually and particularly?

A. I think not: My Instructions called me his Agent, but the Agent of Government at the same Time, and in the same Paragraph; therefore I considered myself as the Agent of the Government, of which Mr. Hastings was the principal executive Member.

Q. Whether Mr. Hastings's Instructions did not authorise you, to make some particular Propositions of Importance to the King at Delhi, or to his Ministers?

A. Not any in particular: The Instructions stated that I was to make a general Profession of the Attachment of the Company to the King, and that they wished to shew it as far as lay in their Power.

Q. Did he propose any specifick Object of his Negotiations?

The Counsel for the Defendant desired to know to what Point in the Articles this Examination tended; for, as far as appeared at present, it was irrelevant to any Thing stated in them.

The Managers for the Commons stated, That they were examining the Witnesses to Mr. Hastings's Character, of which they knew he could speak very particularly.

The Managers for the Commons were informed, that, if that was their Intention, they must put a Question relative to his Character.

Q. (*By the Managers.*) Whether Mr. Hastings did, or did not, afterwards disavow the Object of his Instructions to you?

The Counsel for the Defendant still objected, that a General Question, respecting the Character of a Defendant, did not entitle the Party prosecuting to go into a Matter not in Charge against the Defendant, or into Proof of particular Facts.

Q. What was your Opinion, with respect to the good Faith and plain Dealing of Mr. Hastings, towards those he has employed in his political Negotiations?

A. It is a difficult Matter for me to form an Estimation of a Subject, of which I understand so little.

Q. (*from a Lord.*) In what Time would Intelligence be conveyed from Delhi to Lucknow, if there was any Rebellion in the Country of Oude?

A. I think the Rate at which the Post goes and comes, is the Third Day; but upon particular Emergency it may arrive the Second Day.

Q. With whom did you correspond; with Mr. Hastings, or with the Governor and Council in general?

A. With Mr. Hastings.

The Witnesses was directed to withdraw.

Then CHARLES GORING, Esquire, was called in; and being sworn, was asked,

Q. What was your Situation in India?

A. I was appointed to the Nabob's Court upon a Special Commission by the Governor and Council.

Q. At what Time?

A. On the 9th of May 1779.

Q. How long did you reside there?

A. Four Months.

Q. How long did you reside in India altogether?

A. I was in India Two different Times; I went out in the Year 1760, and remained there, I think, till the Year 1769. I went out a Second Time in the Year 1774, and remained there till the Year 1778.

Q. Whether, during your Residence at the Nabob's Court, or in any other Part of India, you had an Opportunity of observing the Manner in which the Women were treated, according to the Custom of the Country?

A. I had.

Q. Give an Account of the Observations you made upon the Manner in which the Women were treated, according to the Custom of that Country?

A. The Women of that Country live extremely retired; they do not appear at all in Publick. I had Occasion, however, to wait at different Times upon the Munny Begum, the Nabob's Mother. I observed she was treated with the utmost Respect by her Son, and by every Body who surrounded her, and that she lived in great Magnificence.

Q. From

Q. From what you have observed, what Effect do you suppose, a Threat to remove a Woman of her Rank from her Zenana, would have made upon her Mind?

A. Amongst the Powers granted me by the Supreme Government, I had that of removing the Begum from the Nabob's Palace to another Place, in case I should find her employed in any Intrigue to impede the Business I was sent upon. Upon the last Visit I paid her, she took Notice of it, and said, Had I attempted to execute this Power, she would have put to Death every Woman in the Zenana, of which there were at that Time 2000, and have murdered herself, rather than be removed from her Palace. I did not find any Occasion to remove her, because I put her upon her Guard upon my first going. I told her I had that Power, but I never wished to execute it.

Q. Did you understand that Resolution which she mentioned to you, in case of her being removed, to be the natural Consequence of the Customs of the Country, or of any particular Threat of her own?

A. I considered it as a natural Idea that all the Women of Rank have, at being removed from their Dwellings.

Q. She did not tell you of this, till you took your Leave?

A. I think not.

Q. Whether you ever had an Opportunity of seeing the Widow of Surajah ul Dowlah?

A. I had.

Q. In what State did she appear to live?

A. In great Splendour and Magnificence.

Q. From whence do you suppose she derived the Means of living, in that Splendour and Magnificence?

A. I supposed it was from Money deposited in her Palace, by the Orders of her late Husband, the Nabob.

Q. Did you ever hear, that Meer Jaffer claimed any Part of the Treasure left in the Zenana, after the Battle of Plassey, and after the Death of Surajah ul Dowlah?

A. I never did.

Q. To whom do you conceive the Treasure, once lodged within the Walls of the Zenana, must of Right belong?

A. I conceive that the Treasure, lodged within the Zenana, is intended for the Support of the Women of the Zenana.

Q. It is the Custom of the Country to lodge Treasure in the Zenana, for the Support of the Women?

A. I conceive, so from my Observation.

Q. Do you mean, of the Women generally left in the Zenana, as well as of the Begum, who is supposed to have the Direction?

A. I conceive so; because the Begum told me, there were no less than Two thousand Women in the Zenana of the Nabob of Bengal.

Q. (*Cross examined.*) At what Time in the Year 1775, were those Powers granted to you?

A. On the 9th of May.

Q. Do you know, whether, or not, the precise Powers granted to you appear upon the Records of the Company?

A. I believe they do; and if they do not, I have the Original in my Possession.

Q. Do you know, by whom they were signed?

A. By the Secretary of the Council, I think.

Q. Who composed the Council at that Time?

A. Mr. Hastings, General Clavering, Colonel Monson, Mr. Francis, and Mr. Barwell, I think.

Q. Do you know, whether, or not, these Powers were given with the Approbation of General Clavering, Colonel Monson, and Mr. Francis; I mean, particularly, that Power to remove the Begum from her Palace in case she entered into any Intrigue, and of which you state you gave her Notice?

A. I received my Orders from the Governor General and Council; consequently I could not know what passed in the Council, it being the Secret Department.

Q. Do you know, whether, or not, the Treasures which belonged to Surajah Dowlah, and which were lodged in the Zenana, were the Treasures of the State, or whether they belong to the Begum; and, when you speak upon this Subject, do you speak according to your own Opinion, or have you any positive Knowledge on the Subject?

A. I do not understand the Question.

Q. Do

Q. Do you know, whether, or not, the Treasures lodged in the Zenana belonged to the Begum, or whether they were the Property of the State; and do you take it from general Opinion, or your own Knowledge?

A. I conceive, if they were the Treasures of the State, the State would naturally have demanded them.

Q. If they had been demanded by the State, would that have given you an Opinion that they belonged to the State?

A. That would not follow of course. I conceive illegal Demands might be made by the State.

Q. The Question is, As far as you founded your Opinion of their belonging to the Women, upon the Circumstance of their not being demanded by the State, whether, if you had had no other Reason, you would not have supposed them to have belonged to the State, in case they had been so demanded?

A. I said, No; because I conceive the State might make an unjust Demand.

Q. In the actual Case of the State having made the Demand, would you have entertained an Opinion of its being unjust?

A. I surely should. As so many Years had elapsed since the Death of Surajah ul Dowlah, and no Demand had ever been made, as I heard of; had a Demand been made at that Time of Day, I should have conceived it to be an unjust one.

Q. How many Years had elapsed?

A. I should suppose, upwards of Twenty Years. I do not know exactly, but a very considerable Time.

Q. Do you, or, do you not, know the Amount of the Treasure reported to be in the Zenana at the Time of the Death of Surajah Dowlah?

A. I know nothing at all of the Matter.

Q. Do you know, whether, or not, it was an usual Custom for Surajah Dowlah to deposit his Treasure there?

A. Surajah Dowlah was cut off before I went to India.

Q. Do you know any Thing of Oude?

A. I know nothing at all of the Matter; I never was in that Country at all.

Q. (*by the Managers.*) Whether Munny Begum, whom you had Authority to remove, was really Mother of the Nabob?

A. She was not—she was his Mother-in-Law; his own Mother was then living, and was in the Nabob's Seraglio.

Q. (*from a Lord.*) Have you or have you not read the printed Proceedings of the Council of Bengal, touching your Appointment, and the Object of it?

A. I have read them since I have been in England.

Q. (*by the Counsel.*) What was the Name of the Widow of Surajah Dowlah?

A. I don't recollect.

Q. Where did she live?

A. At the City of Muxadabad.

The Witness was directed to withdraw.

Then JOHN STABLES, Esquire, was again called in; and asked,

Q. In what Situation was you when you was last in India?

A. I had the Honour of being Member of the Supreme Council.

Q. Do you recollect, in a Minute on the 9th of September 1783, that you proposed an Inquiry to be made, Whether or not there had appeared any Sort of Disaffection in the Begums of Oude, previous to the Troubles in Benares?

A. Yes, I do recollect it.

Q. What was your Motive for proposing that Investigation?

A. A Letter from the Court of Directors: I conceived it to be ordered by them.

Q. Did you conceive the Letter of the Court of Directors positively to direct that Inquiry?

A. I did so certainly at the Time; and I beg to refer to the Minutes which express it.

Q. Had you ever heard of any Marks of Disaffection in the Begums, previous to the Troubles of Benares, at that Time?

A. I was not in India at the Time of the Troubles of Benares; I arrived some Time after.

Q. Ha:

Q. Had you, at any Time, any credible Evidence produced to you, to induce you to believe the Begums had ever taken any hostile Part against the English, previous to the Troubles in Benares?

A. I believe, none, as I recollect.

Q. Upon what Evidence, Ground, or Authority, did you ever believe that they had, at any Time, taken an hostile Part against the English Government?

A. I had no Evidence, but what appears upon the Records.

Q. What Evidence did appear upon the Records, and of what Nature?

A. I believe it appears principally by the Narrative delivered in by Mr. Hastings; but I refer to the Records.

Q. Had you any other Evidence but the Benares Narrative to induce you to believe it?

A. Nothing, but what appears upon the Records.

Q. I want it to be understood, Whether any Thing but the Benares Narrative appears upon the Records, that you recollect?

A. I do not recollect, or I would mention it.

Q. Whether you have read the Affidavits contained in that Narrative, relating to the Begums?

A. I cannot say I have read them all; I have read a great many of them.

Q. Did you read them upon the Record?

A. No, I did not; Mr. Hastings was kind enough to give me the Narrative, and I read them there.

Q. Am I to understand, that Mr. Hastings gave you the printed Narrative?

A. Certainly; it was a printed Narrative.

Q. Is that the Authority and Evidence to which you refer?

A. As far as it goes it is; I do not know what other Evidence is upon the Records.

Q. You never compared the printed Book with the Records?

A. No.

Q. What is the Fact; is that printed Book the same as the Record or not—I want to know whether you ever saw the original Affidavits, and whether they are entered upon the Records, or whether you have only seen them in the Case transmitted from Calcutta by Mr. Hastings?

A. I do not know; they might be there; it happened before I arrived; but I never saw the original Affidavits.

Q. Did you ever converse with any Man that ever saw the original Affidavits?

A. I do not recollect I did; I have no Doubt that they were in Existence.

Q. Did Mr. Hastings assign any other Reason to you for refusing to enter into that Inquiry, so directed by Order of the Company, except those Reasons that appear upon the Record—Do you recollect those that did appear upon the Record?

A. Yes.

Q. Do you recollect any other Reasons assigned, besides those?

A. No, I think not.

Q. What Effect did Mr. Hastings's refusing this Inquiry produce upon your Mind, at the Time?

The Counsel for the Defendant objected to the Question, as being Matter of Opinion only.

Q. Was there any Debate about pursuing the Inquiry?

A. It is recorded upon the Minutes. I do not recollect I had any Conversation upon the Subject.

Q. Did you ever say any Thing to Mr. Hastings, upon the Subject of his refusing that Enquiry?

A. I do not recollect that I did. I was sorry the Enquiry did not go on.

Q. Do you know of any other Method, by which the Guilt or Innocence of the Begums might be ascertained, besides the Enquiry you proposed?

A. None so likely; my Opinion is clearly expressed upon the Minutes.

Q. And that is the whole Opinion you delivered upon the Occasion, as far as you remember?

A. It is, as far as I remember.

Q. Whether the Whole of the Persian Correspondence universally, was not carried on in the Name of Mr. Hastings, and addressed to him?

A. I believe so; at least it is so ordered.

Q. Whether it is not also ordered, that it should be communicated to the other Members of the Council ?

A. I should think so.

Q. Whether that Correspondence was so regularly communicated ?

A. I cannot say that, because I was no Judge when it arrived ; I can only say the Time it was given in to the Board.

Q. Do you recollect any Instance of Persian Correspondence, not so communicated ?

A. I have taken Notice of One Instance, or Two, in my Minutes.

Q. Do you, or do you not, recollect any Thing concerning a Box of Letters supposed to have been mislaid ?

A. There was a Box of Letters sent to the Board, upon the Day Mr. Hastings took Leave of the Council, to go to Lucknow.

Q. Whether it was a Box of Letters stated to have been mislaid, and which ought to have been communicated much sooner ?

A. It certainly ought : I made a Memorandum at the Time, which, if you please to hear, I will state.

Q. Be so good as to give the Date of the Time of the Letters being communicated ?

A. The Governor General mentioned he had mislaid a Letter from Mr. Bristow, dated the 4th of October 1784, sent in Circulation to him upon the 15th of October ; it was produced to us, that is, to the Council, upon the 17th of February.

Q. Sent in Circulation to him, or by him ?

A. To Mr. Hastings from the Secretary ; it was mislaid in the Council Box till the 17th of February 1785, when it was sent to the Board ; and it contained the Correspondence of Almas Ali Cawn.

Q. Are those Letters now upon Record ?

A. They are now upon Records, if I recollect right, of the 17th or 18th of February.

Q. Where was Mr. Hastings going ; what Journey was he setting out upon, the Day on which those Letters were produced ?

A. To Suxauger, in his Way to Lucknow.

Q. Did you conceive those Letters to relate to Matters of great Importance ?

The House observed, That the Letters were upon Record, and would speak for themselves with respect to the Importance of the Matters to which they related.

Then the Witness was asked,

Q. Was there any Conversation between you and Mr. Hastings upon the Subject, as you recollect ?

A. Not any, which I recollect.

Q. Did you, as a Member of the Supreme Council, consent to Mr. Hastings going that Journey to Lucknow ? Was it by the Consent of the Council at all ?

A. I dissented ; and protested against the Power given, the Minute of which I beg Leave to refer to.

Q. Was Mr. Hastings very solicitous and earnest to go upon that Journey ?

A. His Minutes will shew ; I refer to them.

Q. Do you know any Thing of his being solicitous, except from what appears upon the Minutes ?

A. No ; I do not.

Q. Do you know of any Concern or Matter in Lucknow, that might not have been transacted, without Mr. Hastings' going personally to Lucknow ?

A. I know of none, which the Authority of the Board would not have been sufficient for.

Q. In whose Hands do you conceive the substantial Power of the Country of Oude, then to be placed ?

A. It was nominally in the Hands of the Nabob Vizier ; but I believe a great Power was in the Hands of his Minister, Hyder Beg Cawn.

Q. Do you mean, that Hyder Beg Cawn had in Fact, and in Effect, the Power of the Country, or what Degree of Power did you understand Hyder Beg Cawn had, as Minister of the Nabob ?

A. I understood that he had very great Power indeed. I refer to the Instructions both to Mr. Middleton and Mr. Bristow, where his Power is described.

Q. What was your Opinion, of the Influence and Power of Mr. Hastings over Hyder Beg ?

The Counsel for the Defendant said, they must once for all object to Evidence of Opinion.

Q. Do you know any Thing of any Influence that Mr. Hastings had over that Minister ?

A. I know of none, further than what appears upon the Records.

Q. What do you know of the Power of the Minister of Oude over the Begums, at the Time Mr. Hastings went up to Lucknow ?

A. I do not know of any Power he had over the Begums.

Q. Do you know, in whose Possession the Begums Jaghires were, at the Time Mr. Hastings went to Lucknow ?

A. No ; I do not.

Q. Did you, previously to Mr. Hastings's setting out, take any Measures for the Restoration of the Jaghires from Hyder Beg (if he had them), or from the Nabob's Government, to the Begums ?

A. There is a Minute of mine upon the Occasion, to which I refer ; I do not immediately recollect the Terms of it.

Q. Did you take any other Measures than what appear upon the Minutes ?

A. No.

Q. What Measures did you take, to procure the Payment of an Equivalent to the Begums, while the Jaghires were withheld from them ?

A. I took no other Measures, than what are expressed upon the Minutes.

Q. Were any Measures taken that you recollect, at your Suggestion or Proposal ?

A. I proposed an Inquiry, to know whether they had been paid, and by what Channel.

Q. Did you procure any Intelligence, that an Equivalent had ever been paid ?

A. No, I think I did not.

Q. Were there any other Powers in that Country that could have withheld that Payment from the Begums, but the Nabob, his Minister, or the English Resident belonging to the English Government ?

A. I believe not.

Q. Was there any Power besides them, that could have paid the Begums that Money ?

A. The Influence of the English, I suppose, would have made them be paid.

The Managers for the Commons stated, that they pressed this to shew at whose Mercy the Begums really were, when Mr. Hastings took this Journey to Lucknow.

The House observed, that the Witnesses seemed to think he had expressed all his Opinion and all his Ideas upon Record ; that he constantly referred to them, and did not seem to have any other Memory upon the Subject.

Q. (*Cross examined.*) Whether the Time of your Arrival in India, was a Year and a Quarter after the Troubles in Benares ?

A. I arrived upon the 6th of November 1782 ; I took my Seat at the Board upon the 11th of the same Month.

Q. I wish to know whether, after your Arrival, you ever went up into the Country of Oude, or was ever absent at any Distance from Calcutta ?

A. I never went further than the City of Moorshedabad, during the last Time I was in India.

Q. How far was that ?

A. About a Hundred Miles from Calcutta.

Q. State, whether the Persian Correspondence is not, according to the Course of the Office, entered in a Book, and whether that Book is not open for the Inspection of all the Members of the Board ?

A. The Persian Correspondence of the publick Officer very often was upon the Table.

Q. The Question is, whether the Letters are not transcribed into some Book, which Book is constantly open to the Inspection of all the Members of the Board ?

A. I don't believe all the Letters are transcribed.

Q. But whether it is not the Course of Office to have them transcribed ?

A. It ought to be so certainly.

Q. I understood the Witness to say, with respect to the English Letter received from Mr. Bristow, when he was describing what Mr. Hastings said upon the Subject, (and I wish to know whether I understood him right), that Mr. Hastings mentioned as a Reason why it was not brought earlier before the Board, that it was mislaid by Accident ?

A. I don't

A. I don't know it; but I think it is so expressed in the Note that came with it to the Council.

Q. At what Time are the Letters transcribed into the Book; before, they are sent into Circulation, or afterwards?

A. I do not know.

Q. What is the common Course of the Office?

A. They ought to be first transcribed in a Book, and then sent in Circulation.

Q. Do you know whether those Letters were in fact so transcribed?

A. I do not.

Q. I wish to know whether the Witness made any Enquiry at all, one Way or the other, upon the Subject of the Rebellion or Insurrection of the Begums?

A. In Conversation, of course; but no official Enquiry.

Q. Recollect, whether you ever signed a Letter, bearing Date the 3d of March 1783, in which are these Words, " You will inform us if any, and what, Means have been taken for the Recovery of the Balance due from the Begums at Fyzabad; and, if necessary, you will recommend it to the Vizier to enforce the most effectual Means for that Purpose?"

A. I should like to refer to the Records; I have it not in my Recollection perfectly; I dare say the Records will shew it, if it is so.

Q. (*from the Managers.*) Whether you did approve, or direct the Recommencement of Severity towards the Begums or the Ministers?

A. God forbid I should!

Q. Were not the Ministers of the Begums in Imprisonment upon your Arrival at Calcutta?

A. I do not recollect.

Q. Does it appear in that Book in which the Letters are transcribed for Preservation, at what Time they are transcribed; or does any Thing more appear than merely the Dates of the Letters?

A. I really do not know.

Q. (*from a Lord.*) I should be glad to know, in what Manner the Women could subsist, if the Jaghires, or an Equivalent, were not paid them?

A. I do not know.

Q. Do you know whether the Letters you have mentioned, related to the Ground upon which Mr. Hastings went to Lucknow?

A. I should wish to refer to the Letters—I think they related to the supposed Defection of Almas Ali Cawn.

Q. (*from a Lord.*) The Witness has stated, that at the Time he has mentioned, he conceived the Letter from the Court of Directors to order an Enquiry, and that it was upon that Opinion that he regulated his Conduct, and his Proposal for such Enquiry; I wish to know, Whether the Expression, " at the Time" was merely casual, or am I to understand from it, that the Witness has altered his Opinion of the Intention of this Letter since that Time?

A. I certainly retain that Opinion, and I wished the Enquiry to go on.

Q. (*from the Managers.*) Whether you know of any other Instance of the Suppression of Correspondence, besides the one you have stated?

A. There was another of the same Kind, I believe, taken Notice of in One of my Minutes, which I wish to refer to. If your Lordships will give me leave, I will give you the Date of the Minute, and I wish to refer to that—it is a Minute regarding the Recall of Mr. Bristow, dated the 4th of September 1783; and the Papers were not laid before the Board till near Three Months after they were received.

Q. But you have no Recollection of that Passage, other than what is contained in your Minute?

A. No.

Q. Whether any Note, Minute, or Letter, sent by you, was ever meant to convey your Consent or Approbation of the Measure pursued respecting the Begums, or their Ministers?

A. No, I think not; that Business was over before my Arrival.

Q. (*from a Lord.*) Did you ever convey to Mr. Hastings your Disapprobation of the Measures taken against the Begums, and their Ministers?

A. I don't know that I did: I refer to my Minutes. We had no Conversation upon it; it would have been indelicate to have condemned privately: I certainly never approved of the Treatment of the Begums.

Q. (*from a Lord.*) Could their Guilt or Innocence appear in any other Way than by public Enquiry?

A. No. I wished the Enquiry to go on.

Q. (*from*

Q. (*from a Lord.*) Whether all the publick Letters that come to the Board, at Calcutta, are not first opened by the Secretary, before they come to the Board?

A. He opens them; but he very often carries them to the Governor General: There are many Letters directed to the Governor General himself, and not to the Board.

Q. Is it the Course of Office for the Secretary to open Letters, or send them as they come closed to the Members of the Board?

A. I do not believe there is any general Rule; they are sometimes opened, and sometimes not.

Q. (*from the Managers.*) Whether you do not recollect that the following Paragraph is among the General Orders of the Company? "We direct, that you assemble in Council twice every Week; and that all the Members be duly summoned; that the Correspondence with the Princes, or Country Powers in India, be carried on by the Governor General only; but that all Letters sent by him, be first approved in Council; and that he lay before the Council, at their next Meeting, all Letters received by him in the Course of such Correspondence, for their Information: We likewise direct, that a Copy of such Parts of the Country Correspondence be communicated to our Board of Trade (to be constituted as hereinafter mentioned), as may anyways relate to the Business of their Department." Whether that is not a standing Order of the Court of Directors?

A. I think I am aware of it; it is.

Q. In case any Letters are directed to the Governor General alone, are they opened by the Governor General, or by the Secretary?

A. I should suppose not by the Secretary. I should suppose they were delivered to the Governor General, if directed to him.

Q. Do you remember Mr. Palmer being employed in the Upper Province at Lucknow?

A. I remember his being employed, but I did not know it till long after I went to Bengal.

Q. Was he employed before you got there?

A. I think he was at Lucknow, when I arrived in India; I am not positive there were Instructions for him: I enquired of the Secretary, and heard of none till some Time after I arrived.

Q. Was you, in your Capacity as One of the Council General, duly consulted upon the Continuance of Major Palmer in the Upper Provinces; or in any Renewal of his Commission; or was you ever consulted about him?

A. No, I never was.

Q. What is your Opinion of the Effect of such secret Agents, upon the Part of the Governor General only, upon the Conduct of publick Business, when the Company maintains a Resident there, upon the Part of the Governor General and Council?

The Counsel for the Defendant objected to the Question.

The House observed, It depended upon the Nature of the Agency, and the Extent of it: If there was any particular Agency, what the Effect of it was, might be a Subject of Observation; and therefore the proper Question would be,

Q. Whether the Witness knows of any Effect the Agency of Mr. Palmer had upon the publick Business?

A. It certainly must make the publick Agent very uneasy in his Situation, and it certainly did; but in my Opinion, there was no Occasion for any private Agent at all.

Q. What Knowledge have you of the Effects of it?

A. I have no Knowledge of the Effects, but from Mr. Bristow's Writings upon the Subject, to which I refer.

Q. I desire to know, whether all Mr. Hastings's Correspondence with Almas Ali Cawn was ever produced to the Board?

A. I really cannot tell.

Q. Do you know of his having written any Letters to Almas Ali Cawn?

A. I do not immediately recollect.

Q. Do you know whether all the Correspondence with the Nabob of Oude, concerning Colonel Hannay, was duly laid before the Board?

A. I do not recollect; Colonel Hannay was dead before I arrived.

Q. Have you Reason to think Mr. Hastings had frequent Conference and Communications with the Nabob of Oude's Vackeel at Calcutta?

A. The Vackeel paid his Respects to Mr. Hastings almost daily, as I should suppose every other Vackeel would do, to tell him the News of his Court.

Q. Do you know, whether Mr. Hastings communicated the Substance of any such Conversation with the Vackeel, to the Board?

A. How could I know that?

The Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

Die Mercurij, 23° Aprilis 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons informed the House, they would now proceed to prove the Right of the Bhow Begum, the Mother of Asoph ul Dowla, to the Treasures given her by Sujah ul Dowla; also the Treaties in the Years 1775 and 1776, by which her Right to these Treasures was allowed and confirmed by the Vizier, and guaranteed by the Council at Calcutta.

Then Mr. ROBERT HUDSON was called in; and produced Book 75, intituled, "Bengal Secret Council, 15 October to 20 November 1775."

Read, the following Extract of a Consultation of the 8th November 1775, beginning at Page 824 of the same Book.

"Fort William, 8th November 1775.

Secret Dept.
Wednesday.

"At a Council; Present,

The Honourable Warren Hastings, Governor General, President.

Lieutenant General John Clavering.

The Honourable George Monson.

Philip Francis Esquire.

"Received the following Letters from Mr. Bristow.

"To the Honourable Warren Hastings Esquire, Governor General, and the Members of the Honourable Supreme Council at Fort William.

"Honourable Sir and Sirs,

"Immediately on his Return from Fyzabad he stated his Distresses to me, and begged of me to use my Endeavours to persuade the Begum to assist him. I wished to have declined complying with his Excellency's Request, especially after he had indirectly objected to my having any Correspondence with her; but being sensible of his Necessities, I consented, upon the Condition of his not expecting of * me to use violent Measures. I accordingly went to Fyzabad, and explained particularly in Writing to the Begum, how impossible it was for the Nabob to conduct his Government without her Assistance; and likewise insinuated to her that she could not complain of him, for he had granted her an additional Jaghyr of Four Lacks a Year for the Sums he had already borrowed of her, and treated her with great Respect. I further insinuated to her, that the Treasures she possessed were the Treasures of the State, as she had not succeeded to them by any legal Right, and they had been hoarded up to provide against an Emergency: That that Emergency was arrived; and I recommended it to her to spare his Excellency the Sum of Fifty Lacks as a Donation. If this did not please her, to let the Treasure be divided according to the Laws of the Koran, or else grant him a Loan, and that I could engage for the Repayment of it. * Sic in Orig

"After much Persuasion the Begum agreed to pay the Nabob Twelve Lacks, and this she declared was wholly to oblige me, and upon the Conditions of the Company's being to secure her the Possession of her Jaghyrs for Life; and that the Nabob should not interfere with her upon any Account. I excused myself, because of the Insignificancy of the Sum, but offered to comply with her Terms in case of her granting Fifty Lacks. This I had Authority for from the Nabob, who, on desiring me to undertake the Negotiation, repeatedly and earnestly expressed his Desire not to use any Violence; and in order to prove it, he said he would submit to the Company's being Mediators of all Differences between him and the Begum. But it was hard, when reduced to such Distress, that his Mother should uselessly keep up immense Treasures.

"On my Return his Excellency approved of my Conduct, and desired of me to write to the Begum very fully, again explaining his Situation to her; that I had interfered merely to prevent any Differences or Doubts subsisting between them, which I thought the Part of a mutual Friend.

"That I had always dissuaded the Nabob from violent Measures, and would continue my Endeavours; but the Point in Question was a domestic Matter, in which I could not insist on his Excellency's following my Advice.

" The Begum, in her Answer, complained much of the Administration of Affairs, and told me, in plain Terms, that what she would do should be for the sake of the English, and, as for the Nabob, she would not advance him a single Rupee upon his Word; but sooner throw her Jewels and Money into the River. On my presenting the Letter to his Excellency, he again desired of me to go to Fyzabad, and as there were great Doubts entertained of the Eunuch employed between the Begum and me not having explained my Representations fully to her, but concealed such Part as did not conform to his Views; the Nabob ordered Sellar Jung and Buf-sant Ally Cawn to go to Fyzabad also, and follow Murtehze Cawn's and my Advice in making any additional Representations which might be found necessary. It is generally believed the Begum has Four Crores in her Possession; but I fancy I may venture to say she has One Crore and Seventy Lacks.—Considering this immense Sum, I hope, now we are all here, and when Circumstances are impartially stated, that she will yield to our Persuasions.

[Signed at the End]

" John Briltow, Resident at the Court of the Nabob of Oude. (a)"

The Managers for the Commons requested the House to observe that, in these Letters, the Treasures stated by Mr. Hastings as belonging to the State, are claimed by the Nabob as his Right: That, in a former Letter, it appears, he had actually negotiated a Loan with the Bhow Begum; and by the Letter now going to be read, it would further appear, that he had also given a landed Security, for the Money so borrowed from the Bhow Begum.

Read, the following Extract of a Letter from Mr. Briltow to the Board, dated Fyzabad, 16th October, 1775, from the same Book, Page 838.

" To the Honourable Warren Hastings Esquire, Governor General, and the Members of the Honourable Supreme Council at Fort William.

" Honourable Sir, and Sirs,

" I have already fully explained to the Honourable Board the Part I took in the Negotiation between the Nabob and the Begum. My Representations since my Arrival this last Time have tended to prove to her Excellency, that the Nabob's Situation was desperate; and she might have determined on what rash Resolutions she pleased in her own Mind, still it was now a Question, whether the Nabob should seize his Right, or suffer a Lack of Souls to perish, and the Sovereignty of these Soubahs, now in the Fourth Generation, to be transferred to another Family? I afterwards used many mild Arguments. I also met Sellar Jung, Myrza Ally, and Murtehze Cawn, and we consulted together; and after many Messages to the Begum, and many Alternatives proposed by both Parties, Thirty Lacks were consented to. I am sure I could have obtained Fifty, the Sum I asked, if Murtehze Cawn had not been impatient to return, and unguardedly mentioned, that the Nabob would be satisfied with Thirty. When I pressed him to adhere to our first Request, he seemed to be apprehensive of the Begum's Temper hurrying her into some violent Act, disgraceful to the Nabob's Government; and as the bare Probability of forcing her to Extremities was enough to determine me from asking ever so small a Sum, I at once gave up the Point.

" The Begum not only grants the Nabob this Sum, but gives up to him Twenty-six Lacks, for the Re-payment of which she had Security in Land. In lieu of this, she asked of the Nabob never to interfere with her again, upon any Pretence whatsoever; and for her entire Satisfaction, she insisted on having the Company the Guarantees of a Treaty to be entered into betwixt her and the Nabob, and that I likewise should execute another directly with her, on the Part of the Company; with which having complied, I have the Honour to inclose Copies of both Treaties, N^o 1 and 2.

" I now submit my Conduct in this Negotiation to the Consideration of the Honourable Board. It is Necessity alone which has obliged me to act the Part I have done; for without the Company as Guarantees of the Treaty, the Begum would not have given a single Cowry. The Nabob wholly of himself asked me to interfere, contrary to my Inclination; and I therefore hope the Honourable Board will approve of my Conduct, especially as it was the only Means of realizing a considerable Sum at this Juncture. Half of the Money procured from the Begum is to be paid to the Company; which, with Five Lacks now receiving, making altogether Twenty Lacks, is a considerable Sum in the present State of the Nabob's Affairs.

" I have written Powers, and the Testimony of the Persons concerned in this Negotiation, of my having had the Nabob's Sanction: However, I think it necessary to provide against any future Doubts, and shall therefore forward the Honourable Board a Treaty on the Part of the Nabob with the Company, acceding to the Terms with the Begum, which the Minister promises to get executed with all Expedition. The Begum having at first inserted the Word " Heirs," we had

very near broke off the Negotiation ; for I positively refused, and told her Excellency, the Company were in Alliance with the Nabob Auffuf ul Dowla alone, and during his Life knew of no Heirs, or any other Sovereign in this Country.

" I have the Honour to be, &c.

(Signed) John Bristow,

Res^t at the Court of the N^b of Owd (a)."

" Fyzabad, the 16th Oct. 1775.

The Managers for the Commons stated, they would next read a short Extract, to prove that the Council did authorize Mr. Bristow to conclude the Faith of the Company by this Guarantee.

Read, the following Extract from the same Consultation, beginning at Page 850 of the same Book.

" Resolved, That the following Reply be sent to Mr. Bristow.

" To Mr. John Bristow, Resident at the Court of Oude.

" Sir,

" We have received your Letters of the 11th, 16th, 20th, and 26th of October. We think that the Circumstances of the Nabob's Affairs, and the unfavourable Disposition which his Mother, the Begum, shewed towards him, made it necessary for you to comply with his Request, for affording your Assistance to persuade her to supply him with a Sum of Money ; and we therefore approve and confirm your Guarantee of the Treaty which has been entered into between them (b).

" Fort William, 8th Nov. 1775.

The Letter concludes,

" We are, &c."

The Managers for the Commons stated, they would next proceed to prove, that the above Proceedings were communicated by the Governor General and Council to the Company.

The Witnesses produced Book 6, intituled, " Bengal Letters received, 16 May 1775, to 20th January 1776."

Read, the following Extract of a Letter from the Board at Calcutta to the Court of Directors.

" Fort William, the 20th November 1775.

Par. 9. " The Nabob's Mother, Buboo * Begum, retaining Possession of all the late Vizier's Treasure, to a very considerable Amount, the Nabob, when he found all his other Means were exhausted, had recourse to her for a pecuniary Aid, but she was immovable on his first Applications ; he at length found it necessary to press Mr. Bristow to use the Influence of his Mediation, which, after some Solicitation, he complied with. By the Assistance of many of the Nabob's Friends, and the most earnest Entreaties to the Begum, they prevailed on her to give the Nabob Thirty Lacks in ready Money, and a Release for a Sum of Twenty-six Lacks, which she had formerly lent him ; but her Conditions were positive, that he should enter into a Treaty with her, under the Ratification of the Company, never to molest her more with Demands for Money, as she would not grant the present Relief on any other Terms. The Nabob signed the Treaty, and Mr. Bristow ratified it : Which Ratification, as the Urgency of the Case rendered necessary, we have approved. The Company were to receive Fifteen Lacks of this Sum, which, together with Five Lacks before in Course of Payment, we expect Mr. Bristow will shortly dispatch to us (c)."

The Managers for the Commons stated, they would next proceed to read the Coulnama between the Nabob and his Mother, and the Guarantee of Mr. Bristow ; by which the House would perceive, that supposing the Vizier ever to have made any Claim to these Treasures, it became extinguished ; that he received Thirty Lacks upon Account of present, and Twenty-six Lacks on Account of former Debts due to him ; and that, upon Receipt of the Thirty Lacks, he renounced all Claim whatsoever in future.

Read, from Book 75, before delivered in, the following Extract, beginning at Page 84 : of the same Book.

(a) Vide Appendix, N^o VII.

(b) Vide Appendix, N^o VIII.

(c) Vide Appendix, N^o IX.

Secret Dept.
Wednesday.

" Fort William, the 8th November 1775.

" At a Council; Present,

" The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Philip Francis, Esquire.

N^o 1.

" Copy of a Draft of a Coulnamâ under the Seal of the Nabob Asoph ul Dowlah, dated the 19th of Shabaun, in the Year 1189 of the Hegyra, (15th of October 1775).

" I Asoph ul Dowlah Bahadre engage and give this written Agreement, viz.

" I have now taken from my Mother 30 Lacks of Rupees on Account of the present, and 26 Lacks on Account of former Debts, in Specie, Goods, Jewels, Elephants, Camels, &c. from the Patrimony of my Father, and have no further Claim on her. Having received this through the English Chiefs, I renounce all further Demands on her. I also engage that I will never molest my Mother in the Enjoyment of the Jaghiers, Gunges, Culladarries, Gardens, or the Mints of Owde, Fyzabad, &c. conferred on her by the late blessed Nabob, but will leave her in the full Possession of them, during her Life Time.—As long as my Mother lives, I will give her no Trouble on account of them.—She shall collect whatever appears to be due from the said Jaghiers, by her own People; I will not obstruct it.

" When my Mother goes on her Pilgrimage she is at Liberty to leave the Jagheers, &c. under the Charge of whomsoever she pleases.—It is entirely at her Option: I will not oppose it.

" Whether she resides here or goes on her Pilgrimage the Jagheers, &c. shall remain in her Possession; and no Person shall on any Occasion obstruct or molest her therein. To whomsoever my Mother shall give Charge of the Jagheers, &c. I will on every Occasion protect and assist him; and when she goes on her Pilgrimage she is at Liberty to take with her such of her Slaves, Women, and Goods as she thinks proper; I will not molest her; nor will I give any Trouble to Johur Ally Khawn, Bahadre Ally Khawn, Nuhaut Ally Khawn, Shegoon Ally Khawn, or to the Tavel-darries, by any Demand on them. My Mother is at Liberty to act as she pleases therein; she is the Mistress. For the Observance of all these Articles I give God and his Prophet, the Twelve Imaums, the Fourteen Mauffooms, and the English Chiefs are joined in this Engagement. Further I will not in future demand any Loan from my Mother. I have no Claim on her; nor will I ever deviate from this Engagement. Should I act contrary thereto, it may be supposed that I am estranged from the English Chiefs and the Company.—I have accordingly given this as a Coulnamâ to remain as a Voucher.

" List of the Jaghiers, &c.

Sullow One Mahal,
Dawa, D',
Purifieddipore, One Mahal,
Rutaha, D',
Sumrootah,
At Gourkpore, One House,
Taloe, One Mahal,
Jais, with the Adawlut,
Sair, One Mahal,
Cora, D',
Tanda, D',
Nabob Gunge, with the Villages on the other
Side of Khahrah, One Mahal,

Ismael Gunge, with the Villages, is at the
Distance of Three Cos from Lucknow,
Ismael Gunge, at Lucknow,
Cullahdarry of all the Soubahs,
Mints of Owde and Fyzabad,
Bhegum Gunge and Gola Ghaut,
Vizier Gunge,
The Garden of Thirry Sing at Owde, with
Ground for Three Gardens,
Fishbaug at Lucknow,
Rozah Gaut at Lucknow,
Bhegum Barree with the Bazar,
Garden of Bahara Mull."

" Copy of a Draught of a Coulnamâ, under the Seal of Mr. John Bristow, on the Part of the Company and English Chiefs, dated as above.

" The Nabob Asoph ul Dowlah Yaty a Khan Bahadre Huzzuber Jung has received from his Mother, on Account of the Patrimony of his Father, and appropriated to his own Use the Sum of Thirty Lacks of Rupees on Account * the present, and Twenty-six Lacks on Account of former Debts, in Specie, Goods, Elephants, Camels, &c.; and the Fara Khutty (full Acquittal) which the Nabob Asoph ul Dowlah gives to his Mother, is a Voucher. My Seal is affixed thereto, so that it may be considered as an Act of the Company and English Chiefs with respect to the Jaghiers, Gunges, Culladarries, Gardens, the Mints of Owde and Fyzabad, which the late blessed Nabob gave to the Bhegum; the Nabob Asoph ul Dowlah will not molest her in the Possession of them, but leave her in the free Enjoyment of them during her Lifetime, and she is to collect whatever may appear due from the Jaghiers, through her own People. The English Chiefs are Guarantees for the Observance of these Articles: No One shall molest her when the Bhegum goes on

* Sic in Orig.

on a Pilgrimage: No Person shall obstruct or hinder her; and the Bhégum is sole Mistress of her own People: No One shall make any Demand on her Eunuchs or Women; she is at Liberty to act as she pleases with respect to them.

“ When the Bhégum goes on her Pilgrimage she may leave the Charge of the Jaghiers, &c. to whomsoever she pleases; the English Chiefs are Guarantees of this (a).

“ List of the Jaghiers, &c. exactly the same as that in N^o 1.”

The Managers for the Commons acquainted the House, they should next proceed to read again a Passage in Mr. Hastings's Defence at the Bar of the House of Commons, by which he would lead the House to believe, that the Bhow Begum had no Reason to distrust the Good Faith and Punctuality of the Nabob her Son; and therefore that she acted out of personal Enmity to him, in refusing to deliver up the Treasures.

Read, the following Extract from the Manuscript Defence, Page 213.

“ However willing his Excellency may have been to grant Assignments for the Liquidation of his Debt, he was never scrupulous of infringing them, when pressed by other importunate Creditors; but has frequently granted Tuncaws upon Aumils, whose Revenue, to its utmost Amount, he well knew had been previously assigned over to the Company (b).”

Read, also, from the Manuscript Defence, Page 217.

“ The most rigorous Means were adopted, and even Threats of Military Execution resorted to, in the Time of the late Resident, Mr. Bristow, in the Year 1776, to exact the Payment then made by the Begum; nor would any softer Methods have availed, as she declared “ she would sooner throw her Treasures and Jewels into the River, than advance the Nabob a single Rupee.” Her Jewels, Cloaths, and Household Utensils were permitted to be taken, in Default of ready Money Payments, and converted to the Company's Use, by publick Auction in Calcutta, without any Disapprobation having been signified by the Council General, either of the Principle on which the Claim had been made on the Begum, or the Mode of enforcing it (c).”

The Managers for the Commons observed, they had now conducted the House to the Treaty and Guarantee of Mr. Bristow, relative to the Treasures; and stated, that a Dispute afterwards arose between the Nabob and his Mother, respecting some Part of the Goods: That those Goods, which consisted of Elephants and Military Stores, were not in the Zenana; and therefore, though the Nabob, in the Course of the Dispute, admitted that every Thing in the Zenana belonged to the Begum, he asserted that these Goods were the Property of the State.

The Managers for the Commons further stated, that Mr. Hastings, in his Defence, where he quotes Mr. Bristow's Letter on this Subject, states this Dispute about the Property not in the Zenana, as if it had been a Dispute about the Whole of the Property; whereas it was expressly stipulated by the Treaty just read, that Part of the Thirty Lacks should be paid in Goods; and they should next proceed therefore to prove, that the Complaint then was of that Treaty not being abided by.

The Witness produced Book 78, intituled, “ Bengal Secret Consultations, 29th November 1775 to 8th January 1776.”

Read, the following Extract of a Letter from Mr. Bristow to the Board, dated 30th Nov. 1775, beginning at Page 362 of the same Book.

“ Fort William, the 18th December 1775.

“ At a Council; Present,

“ The Honourable Warren Hastings, Governor General, President;

Lieutenant General John Clavering,

The Honourable George Monson,

Richard Barwell, } Esquires.

Philip Francis, }

Secret Dept.
Monday.

“ Respecting the Treaty with the Begum, I have had many Letters from her, complaining of its not being abided by, and that the Nabob does her great Injustice in disputing her Right to Effects, which she wants to deliver to him; but he asserts them to be his Property, as they were under the Charge of his Confuma, and only deposited in one of the Buildings adjoining to the Begum's Palace. He says, he acknowledges her Right to any Thing in Trust with her own Ser-

(a) Vide Appendix, N^o X.

(b) Vide supra, P. 413. Line 18 from the Beginning of the Defence.

(c) Vide supra, P. 414, Line 7.

vants, but all other Effects belong to him. I have hitherto been unable to satisfy the Nabob, or the Begum; but as the Treaty cannot be in force* without the Begum pays the stipulated Sum, I informed her of this Circumstance, and shall advise her, in a Letter I purpose writing To-night, to compleat her Engagements to the Nabob, all to the Value of the Effects in Dispute, the Right to which may be hereafter settled; and as they only amount to about Two Lacks and a Half of Rupees, it is not an Object to stop her fulfilling her Agreements in other Respects. I find it a difficult Point to please the Begum; for she has, through the Whole of this Negotiation, asserted that she placed entire Confidence in the English, by whom alone she was induced to promise the Thirty Lacks of Rupees; and now she thinks herself ill-treated, in having the Identity of her Property disputed."

The Counsel for the Defendant requested the Remainder of the Paragraph might be read.

The House informed the Managers for the Commons, and the Counsel for the Defendant, that the Rule was, for either Side to read what they considered as material to be communicated to the House at the Time; and that the Whole of the Instrument or Paper produced, as far as related to the Charge, would be printed in an Appendix.

Read, the Remainder of the above Paragraph, as follows:

"She also complains heavily of the Troops left to guard the Town, putting Restrictions upon her Servants, and prohibiting them from the same Liberty as the other Inhabitants. I interceded with his Excellency to forbid any Violence from † being used to her, or any of her Dependants; and he accordingly issued Orders to this Purport. In regard to the Dispute about the Effects, I must enquire more particularly, as his Excellency's Officers may be in the Wrong; but I know also, by the Behaviour of the Begum's Eunuchs and Servants while I was at Fyzabad, that they were inclined to procrastinate the Payment upon any frivolous Pretence that occurred."

The Witnesses produced Book 101, intituled, "Bengal Secret Consultations, 15th January to 11th March 1776."

Read, the following Extract, beginning at Page 71 of the same Book.

"Fort William, 25th January 1776.

Enclosed in
Mr. Bristow's
Letter.

"Copy of a Letter from the Begum, Mother of the Nabob Asuf ul Dowlah, addressed to Mr. Bristow.

"I have received your agreeable Letter, and perfectly understand the Contents. Some Time ago the Affair in Question was settled in your Presence for 30 Lacks of Rupees. The Goods which I delivered for Appraisement were taken Possession of and carried away. It is not I who interrupt this Business, but Asuf ul Dowlah and Murteza Cawn. I am so far from wishing the Continuance of this Dispute, that I am very desirous it should be speedily accommodated; but Asoph ul Dowlah and Murteza Cawn do not desire to have it adjusted. I now enclose you an Inventory of the Prices of the Broad Cloth, Elephants, and Camels which I delivered in your Presence, by which you will be made acquainted with the Value of the several Articles; whatever Balance remains shall be paid. You ask me, since the Accession of the Nabob Asoph ul Dowla, what ill Treatment or Disgrace I have experienced from him. Alas, that you should be still ignorant of it! God forbid that even my Enemy should suffer so much Disgrace. Murteza Cawn stationed a Battalion of Sepoys at my Door, and sent me Word, that if I would quietly deliver the Sum, it was well, otherwise he would prevent any Provisions being brought me, and take it. This is not all the Disgrace I have suffered. Whatever he says is a Law. You were not a Witness of the late blessed Nabob's Munud, and without having seen it, you can form no Idea of what Kind of a Ruler he was. You came at an unreasonable Time and saw it. ‡ *Asoph ul Dowla on the Munud the late blessed Nabob went with him.*

† "This Passage is very obscure in the original;—I imagine some Words are omitted.—The Translation I have made of it is quite literal."

"There never was an Instance in the World of a Son exercising such Oppression on his own Mother, as to send his Servants to distress and afflict her. Reflect maturely that no such Instance ever occurred in former Times. I have already written you what Asoph ul Dowla has done to his own Mother, and that I am ready to give up my Life without Fear. Whatever he wishes let him do.

"I have written the real Value of the several Articles, in the List which I have sent you, without the least Variation. Did I wish to procrastinate this Affair, I should have written that the Goods which were seized and carried off amounted to Eleven Lacks of Rupees; but I do not wish to delay it, and have therefore written down the real Value I sent it to you. Deduct this, and whatever Ballance appears shall be made good in other Goods, China Ware, and Bullocks. Guards are stationed over my Goods; cause these to be removed, that a Price may be set on them, and the Ballance made good. You have repeatedly written me that the Coulnama is inefficacious.

"You

" You were a Party in this Affair, and took from me the Sum of Fifty-six Lacks of Rupees : If you will cause the Fifty-six Lacks to be restored to me, then the Coulnama will not be binding. And do not you then take any Part in the Affair; and then let Afoph ul Dowla and Murteza Cawn, in whatever Manner they are able, take Sums of Money from me; they will then see the Consequences (a)."

The Managers for the Commons stated, they should next proceed to read a Letter from the Bhow Begum to the Governor General and Council, on the same Subject.

Read, the following Extract of a Consultation of the 21st December 1775, from Book 78, already delivered in, beginning at Page 431 of the same Book.

" Fort William, the 21st of December, 1775.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President.

Lieutenant General John Clavering.

The Honourable George Monson.

Richard Barwell, } Esquires.

Philip Francis, }

Secret Dept.
Thursday.

" EXTRACT of Bengal Secret Consultations, the 21st December 1775.

" The Governor General lays before the Board the following Letter from Bow Begum, Mother of the Nabob Afoph ul Dowla, received by her Servant Coja Shagoon Ally Cawn.

" From the Baboo Begham, Mother of the Nabob Afoph ul Dowla: Received the 20th December 1775.

" A long Space of Time has elapsed since I have had the Pleasure of a Letter from you, during which I have been continually on the Rack of Expectation. I formerly sent you a Letter expressive of my Friendship, through the Channel of Mr. Bristow, to which I have not yet been favoured with an Answer: I do not impute this to Unkindness, but suppose that you never received that Letter. How shall I represent you my distressful Situation! My Grief is without Bounds, and my Life a Burthen to me. Since the Decease of the late blessed Nabob, I have bid adieu to all worldly Affairs, and with a broken Heart given myself up to Sorrow. I cannot bear the Reflection of my own melancholy Situation—how can I represent it to others? My wounded Heart is made to bleed afresh every Instant, and Fortune seems to take Delight in tormenting me.

" As my Son the Nabob Afoph ul Dowla is entirely unexperienced in the Affairs of the World, and ignorant of what is good or bad, Murtezza Cawn has taken Advantage of his Inexperience, and turned his Thoughts to frivolous Amusements, and has taken on himself the entire Management of all the Affairs of the Government, appointing his Brethren Foujedars in all the different Soubahs. My Son the Nabob Afoph ul Dowla took from me, the First Time, Thirteen Lacks of Rupees for the Discharge of the Dues to the English Chiefs, giving me a written Engagement to repay this Sum in the Space of a Month. The Second Time he sent Salar Jung and Murtezza Cawn to me with a Message, importing, that he was in Want of Money to discharge his Debts to the English Chiefs. I then delivered Seven Lacks of Rupees, with Jewels. The Third Time he came to me himself, and informed me of the Importunity of the English Chiefs. Though I was convinced that this was a Lesson taught him by Murtezza Cawn, I nevertheless delivered him Six Lacks of Rupees in Specie, together with Jewels. He gave me a written Engagement, and promised on Oath, that all these Sums should be repaid me. Some Time afterwards my Son sent Mr. Bristow to me for further Sums. Mr. Bristow wrote me many Letters, desiring that I would furnish Money, or the Nabob's Affairs would be ruined. After a long Correspondence, Mr. Bristow went to the Nabob, and soon afterwards came to my House, accompanied by Salar Jung and Murtezza Cawn, and sent a Message to me, that if I would furnish the Sums wanted quietly, it was well; if not, he would withhold Provisions from me, and take the Money; that he would even beat my People, and send Men into my House to plunder whatever they found there. I returned for Answer, ' Do whatever is in your Power.' As Mr. Bristow was concerned in this Affair, it was at last settled by an Agreement under that Gentleman's Seal, on the Payment of the Sum of Thirty Lacks of Rupees: Out of these Thirty Lacks it was agreed that Eleven Lacks should be in Goods, Elephants, and Camels, and the Remainder in Specie and Jewels. I assented, concluding that, as Mr. Bristow was a Party in the Affair, it would be conducted in a proper Manner; but they valued the Goods which they took at a Fourth Part of their intrinsic Worth—how then could I make good the Sum? The Amount of the several

(a) Vide Appendix, N. XI.

Sums taken from me by the Nabob Asoph ul Dowlah, in Specie, Jewels, and Goods, is Fifty-six Lacks of Rupees.

“ He formerly gave into my Possession for the Discharge of the Monies due to me, the Mahals of Ackberpore, &c. but after a few Days took them from me again.

“ My Son and Murtezza Cawn sent me Word, that I had written to, and received many Letters from, Mr. Hastings; that I now saw of what Effect they were—such ironical Answers did they send me. I did some Time ago write you a Letter, but mentioned therein nothing to the Disadvantage of my Son—this you well know. Let me have a Letter in Answer from you, and write to the English Chiefs to afford me their Assistance and Support, and communicate to me the Substance of such Letters, that I may apply to them in Consequence.

“ Murtezza Cawn is striving with all his Might for the Ruin of this antient Family, which he wishes utterly to destroy. If it is your Pleasure that the Mother of the late blessed Nabob, myself, and his other Women, and Infant Children, should be reduced to a State of Dishonour and Distress, we must submit; but if, on the contrary, you call to Mind the Friendship of the late blessed Nabob, you will exert yourself so effectually in Favour of us, who are helpless, as to remove Murtezza Cawn. He is the Author of all the Evil. I have no Displeasure against the Nabob Asoph ul Dowlah—let him be Master of his own Affairs. If you do not approve of my remaining at Fyzabad, send a Person here in your Name, to remove the Mother of the late Nabob, myself, and about Two thousand other Women and Children of the said blessed Nabob's, together with the Women of the Nabob Burhan ul Mulek, and those of Sufdar Jung, from this City, that we may reside with Honour and Reputation in some other Place—we cannot even exist here. Whatever Remedy occurs to your Wisdom, let it be applied without Delay, for we are now brought to the very Brink of Dishonour. In the Nabob's Life-time he was possessed of no more than the single Soubah, and the Dues of the English Chiefs were paid out of the Revenues of it, as also the Expences of his Army, and his own. At present, that the Soubah is increased to Three Times its former Extent, what becomes of the Revenue? No one thinks of making this Enquiry; but Sums are continually taken from us helpless Women. Murtezza Cawn possesses the sole Authority in the Nabob's Family, and his Brethren are Fougedars over all the Provinces, the Revenues of which they embezzle and dissipate.

“ Murtezza Cawn and Mr. Bristow, as soon as they had taken 30 Lacks of Rupees from me, went to Lucknow, from whence Murtezza Cawn sent Word, that my People were not to be admitted into the Kellah; in consequence of which they have been prohibited going there, nor are any of my Things suffered to be brought out. Murtezza Cawn has also sent Word, that the Things which his People took from me are the Property of the Sirkar; that they must not be considered as Part of the 30 Lacks of Rupees, but sent to the Nabob.—A Guard has been placed on my Goods.

“ I one Day sent some Copper Furniture to be sold in the Buzar, but the Guard would not suffer them to pass. I say frequently, Take the Copper Utensils at their Value, as a Part of the Eleven Lacks of Rupees; but no one will attend to me: In a Word, I am reduced to the most astonishing Distress. For the Sake of God, and of your Prophet, relieve me from my Misfortunes. It is written in the Coulnama, “ I have taken 56 Lacks of Rupees on Account of my Inheritance.” I sent word, that others had a Right to Part of the Inheritance. Murtezza Cawn replied, I have taken the Inheritance of all.—I have now given you a Detail of every Circumstance. I send to your Presence Mahomed Shagoon Ally Cawn, an Eunuch, who is possessed of my Confidence. For further Particulars I must refer you to him.

“ I inclose for your Inspection Copies of the Coulnamas in my Possession, under the Seals of Mr. Bristow, the Nabob Asoph ul Dowlah, and Murtezza Cawn.

“ I went to the Nabob, when the Hour of his Death approached, and asked him to whose Charge he left me? He replied, “ Apply to Mr. Hastings whenever you have Occasion for Assistance; he will befriend you when I am no more, and will comply with whatever you may desire of him.” The Recollection of the long Friendship which subsisted between you has induced me to write you so particularly.

“ In the Coulnama given by Mr. Bristow and the Nabob Asoph ul Dowla, it is written, that it is agreed 19 Lacks of Rupees out of the 30 shall be in Specie, and 11 Lacks in Goods, Elephants, and Camels. I accordingly paid the 19 Lacks in Specie and Jewels; and, with respect to the Goods, Elephants, and Camels, which I delivered on Account of the 11 Lacks of Rupees, the Nabob Asoph ul Dowlah and Murtezzah Cawn have sent Word that they are the Property of the Sirkar, and will not be allowed a Part of the 11 Lacks of Rupees. I wrote a full Account of these Circumstances to Mr. Bristow; who returned me for Answer, at the Desire of Murtezza Cawn; that those Goods, Elephants, and Camels, are the Property of the Sirkar. I returned an Answer to Mr. Bristow, in which I said, “ From whence should I procure them? all that I possess is by the Bounty of the late blessed Nabob: Nobody will pay Attention to this, but they are bent at all Events to dishonour me; they have again sent People to disgrace and force Money from me. I have all along placed my Reliance on you. Should the Answer to this Letter be delayed, my Affairs will be ruined, and I shall suffer the greatest Disgrace: Let me be speedily favoured with a satisfactory Answer, for which I am very anxious. The Affair before mentioned was settled on

on Condition of my paying 30 Lacks of Rupees: I accordingly paid 19 Lacks in Specie and Jewels, and gave Goods, Elephants, and Camels to the Value of 11 Lacks. When an Account of the Price of the several Goods was making, Murtezza Cawn sent Word to have them brought without Valuation, which was accordingly done: I sent Word of this to Mr. Bristow, saying, "Is this the Method of observing Engagements?" He replied, "I am told by the Nabob and others, that the Goods you have delivered are the Property of the Sirkar." No One will pay Attention to what I say. Asoph ul Dowlah and Murtezza Cawn have again sent People to me to demand 11 Lacks of Rupees—where shall I procure this Money? I am oppressed beyond Measure. Favour me with a Letter to Mr. Bristow to the following Purport, that One Company may be stationed as a Guard at my House to prevent my being oppressed; write also to the English Chiefs here, that whenever I have a Mind I may begin my Journey to Kerbelah, and that no One is to obstruct or hinder me. When I am delivered from the Burthen of these Misfortunes, I will proceed to you. Should I be tired with remaining here, I will go to Benares or Azimabad, and stay there for some Time, or will proceed to you: Be so kind as to write on this Subject to the English Chiefs here, and direct, that whenever I chuse to set off for Benares or Azimabad, they are to supply me with an Escort to conduct me thither in Safety. The late blessed Nabob called you his Brother and mine too. Exert yourself so effectually in Favour of us helpless Women, that Murtezza Cawn may be displaced, and Mahomed Elich Cawn and Mahomed Busheer Cawn be restored to the Offices they held in this Soubah in the Life-time of the late blessed Nabob, by them the Revenues will be collected; and whatever Sums are due to the English Chiefs, I will cause to be paid out of the Revenues: This I will strictly perform. I am induced to represent all these Matters to you, solely from my Regard to the Prosperity of this Family. Do you act in such a Manner as to secure the Prosperity of this Family, by which your Name will be transmitted with Honour to the latest Posterity, for having preserved your Friendship to the late Nabob beyond the Grave. Murtezza Cawn is so far from wishing well to this Family, that he is desirous of its Destruction, that he may raise himself on its Ruin: He is in Fact at present possessed of absolute Dominion.

"You have doubtless learnt the Transactions of this Part from the News-papers. I have written nothing but the Truth: For the rest, you are the Master, to act as you think most proper. Favour me with an immediate Answer to this Letter."

"The Enclosures mentioned above are the same as those transmitted by Mr. Bristow, and have been already translated, and sent in to the Council.

"Agreed, that it lie for Consideration.

Warren Hastings.
J. Clavering.
Geo. Monlon.
Rich^d Barwell.
P. Francis."

Then the Managers for the Commons stated, That Mr. Hastings in his Defence asserts he was always a Friend to the Nabob's Right to reclaim the Treasures. They should therefore next proceed to shew, that he refused the Whole of the Nabob's Claim to the Treasure, and asserted the Right of the Begums: For which Purpose they desired the Minute of the Council, upon the Receipt of this Letter, to be read.

The Counsel for the Defendant desired the Whole of this Minute might be read.

Read, the following Extract of a Consultation of the 3d of January 1776, from the same Book, Page 466.

"Fort William, the 3d of January 1776.

"At a Council; Present,

"The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Philip Francis Esquire.

Secret Dept.
Wednesday.

☞ ["Re-considered the Letter from Bow Begum, Mother of the Nabob Asoph ul Dowlah, recorded in Consultation the 21st of last Month.

"This Letter having been circulated with the following Note, the Opinions entered after the Note were returned.

"The Governor General requests, that the Members of the Board will be pleased to consider this Letter, and to deliver their Sentiments upon it, to enable him to write an Answer; the Person who brought it being very impatient to obtain one, and having refused a House which the Governor had offered him to live in, preferring to remain in his Budjerow, that he might be in Readiness to return with the Answer.

Minutes on
Baboo Be-
gun's Letter.

"(Signed) J. P. Auriol, Secr."

"I should

" I should be glad to know the Governor General's Sentiments on it.

" (Signed)

D^o

D^o
D^o

John Clavering,
George Monfon,
P. Francis."

* Sic in Orig. " I should have been better pleased on such a Subject to have concurred in the Resolution * with the other Members of the Board might have thought it proper to pass, in consequence of the present Remonstrance, than to offer my separate Opinion upon it, in the Uncertainty whether it would be adopted. All my present Wish is, that the Orders of the Board may be such as may obviate or remove the Discredit which the English Name may suffer, by the Exercise or even the public Appearance of Oppression, on a Person of the Beghum's Rank, Character, and Sex. Had the Nabob chosen to have made Use of the Means with which his own Power alone supplied him, to exact Money from the Beghum his Mother, this Government would have wanted a Pretext to interfere in her Behalf; but as the Representative of our Government has become an Agent in this Business, and has pledged the Honour and Faith of the Company for the punctual Observance of the Conditions under which it was concluded, we have a Right to interfere, and Justice demands it, if it shall appear that these Engagements have been violated, and an Injury offered to the Beghum under the Cover of the Authority by which they were contracted.

" I am therefore of Opinion, and I recommend that a Letter be written by the Board to Mr. Bristow, commanding him to remonstrate to the Nabob against the Seizure of the Goods as his own original Property, which he received from his Mother in Payment of the Eleven Lacks stipulated to be so made: To insist on the Nabob's receiving them in Payment; and that he either admit of the Valuation which she has put upon them, or that he allow them to be appraised by Persons appointed for that Purpose by both Parties. And that Mr. Bristow be further ordered to request, and, if necessary, to insist, in the Name of this Government, that the Nabob do grant Permission to the Beghum to repair to, and reside within, any Part which she may chuse of the Company's Territories.

" If these Propositions are approved, it will be necessary to give other Orders for the Accommodation of the Beghum in any Place which she may chuse for her future Residence; and these may be conveyed in the Name of the Board, by Mr. Bristow, either to Mr. Francis Fowke, or to the Chief of Patna, as it would be improper to notify to either the Intentions of the Board, on a Point of such Delicacy, until it was finally determined.

" (Signed)

Warren Hastings." M

§ (" I think the Nabob should be informed of the Representation which the Beghum has made to this Government, and a Copy of her Letter sent to him. I join with the Governor General in thinking that the Goods which the Beghum has delivered should be appraised, and whatever their Value may appear to be, under Eleven Lacks, which the Beghum engaged to pay, she ought to be made acquainted with the Difference; for it was on the full Accomplishment of her Promise that Mr. Bristow's Guarantee was to have its Effect. Provided that the Beghum be desirous of withdrawing her Person within these Provinces, and the Nabob do consent to it, I think every Assurance of Protection should be granted to her, and a proper Place provided for her Residence; but I cannot consent that the Company's Authority should be employed in placing both Ellich Cawn and Bulheer Cawn in their former Offices, agreeably to the Beghum's Request; because the Nabob, considering them as his mortal Enemies, would never be prevailed on to acquiesce in their Return, from the Certainty that his Removal from the Musnud, and probably his Death, would be the certain Consequence of such an Event.

" (Signed)

John Clavering."

" The Beghum's Letter should be sent to the Nabob and Mr. Bristow, as it contains a Charge against them, and a Breach of Faith in this Government, in the Conduct of the Resident, which it will be necessary for him to obviate. She should be informed of the Sums of Money the late Nabob owed this Government by Treaty, for Services performed, and which were not liquidated at his Death; that she received the Advantages of the Rohillah Conquest, the Plunder of those Countries being deposited with her; as she succeeded, therefore, to all the Nabob's Wealth, it is just she should discharge the Demands due for those Services by which she is the principal Gainer.

" The Vizier's Estate has not been divided according to the usual Custom of Mahomedan Princes. The present Dispute turns upon the Value of Goods, Elephants, and Camels: I do not conceive, according to strict Justice, these Effects to be the Beghum's Property, as I understand Women can only claim a Right only to what is within the Zenana; but if it be a Condition made by the Nabob with his Mother, that he should take these Things in Part of Payment of the Thirty Lacks, the Value of them should be ascertained by Arbitration.

" If the Beghum has an Inclination to retire within these Provinces, she may be received, the Nabob's Consent being obtained, and it being understood that she is not to expect any Support

" from

“ from Government. We have no Right to insist that the Nabob should restore Elich Cawn and Busheer Cawn : Such an Application from us would be justly offensive to him.
 “ (Signed) Geo. Monlon.”

“ The Board have already approved of Mr. Bristow's Conduct in negotiating the late Agreement between the Begum and the Nabob. Until she has fulfilled her Part of it, she has no Claim to the Company's Protection. Before we determine whether she has been ill-treated or not, we ought to hear the Nabob's Reply to the Charges contained in her Letter ; for this Purpose, and that he may be able to judge from whose Advice they originate, a Copy of it should be communicated to him. With respect to the Property of the Effects in Question, I am inclined to think, with Colonel Monlon, that Women can claim a Right only to what is within the Zenana. The Property being determined, the Value, if disputed, may be settled by Arbitration or publick Sale. I cannot conceive that she has the least Right to interfere in the Nabob's Government : in a Country where Women are not allowed a free Agency in the most trifling domestic Affairs, it seems extraordinary that this Lady should presume to talk of appointing Ministers, and governing Kingdoms. Upon the Whole, I look upon the Letter before us not as of her writing, who probably cannot read, but as the Composition of some of her Servants, perhaps of the Eunuch who brings it. With respect to receiving her into the Provinces, I shall have no Objection to it, provided she can obtain the Nabob's Consent ; without that she can have no Right to remove the immense Wealth she possesses, or even her own Person, out of his Dominions.
 “ (Signed) P. Francis.”

“ Agreed, That Mr. Bristow be desired to recommend it to the Nabob, that the Goods taken by him from the Begum be appraised, by such Persons appointed to value them as shall be agreeable to both Parties.

“ And resolved, That a Retreat shall be granted by this Government to the Begum, if she obtain the Consent of the Nabob to her retiring into these Provinces.

“ Resolved also, That as soon as her Engagements with the Nabob, to which Mr. Bristow is a Party, shall be fulfilled on her Part, * this Government this Government will think themselves bound to protect her against any further Demand or Molestation. * Sic in Orig.

“ The Governor General. I dissent to the Second Resolution ; because I think, by being made Guarantees to the Engagements between the Nabob and the Begum, we have a Right to require his Consent to her Removal from his Dominions ; as we can have no other Security for the faithful Performance of those Engagements, and it may not be in the Power of the Begum to make a Second Application to this Board, after the Notification of this to the Nabob ; in which Case, we shall not have it in our Power to afford her Protection, not knowing that she is injured.”

“ Mr. Francis. I think that Mr. Bristow should be ordered to observe the Conduct of the Nabob and his Minister to the Begum, and to assure her of his Readiness to interpose in her Behalf, if she should at any Time hereafter have Reason to complain of ill Treatment ; we have no Right to suppose, that the Nabob will violate an Engagement guaranteed by this Government, as long as our present Influence at his Court continues ; at present there is no Appearance or Likelihood of its diminishing ; if, however, any injurious Attempt should be made against the Begum, after she has fulfilled her Part of the Agreement, I shall be inclined to give her a Retreat in the Provinces at all Events. I do not think that, in the present Circumstances, we should be justified in doing it now.”

“ Agreed, That Orders be sent to Mr. Bristow agreeable to the Terms of the above Minute.

“ Resolved, That a Copy of the Begum's Letter be sent to Mr. Bristow, with Orders for him to communicate the Contents of it personally to the Nabob only.

“ The Governor General. It appears so consonant to the Principles of strict Justice, to afford those who are accused, the Means of vindicating themselves, that I shall request the Board's Permission to wave, at this Time, entering the Objection which I have to this Resolution, as it will be necessary to explain my Sentiments very fully upon it. I approve of the Resolution, and should recommend it for communicating the Begum's Letter to Mr. Bristow. I disapprove of its being made known, either to the Nabob or to Murtezza Cawn.”

“ Mr. Francis. Having observed, in the Begum's Letter, a Passage apparently reflecting on Mr. Bristow's Character and Conduct, and charging him directly with having sent a Message to her in his own Name, that he would stop her Provisions, beat her Servants, and send People to plunder the Zenana, I beg Leave to lay before the Board a literal Translation of the whole Passage, as I think it differs materially from the first.”

“ Signed at the End,

Warren Hastings,
 J. Clavering,
 Geo. Monlon,
 Rich^d Barwell,
 P. Francis.” (a)

§

(a) Vide Appendix, No XII.

The Managers for the Commons stated, that it would appear afterwards, and they should shew, that the Board were perfectly satisfied with Mr. Bristow's Conduct. But, they would first read Three short Passages from Mr. Hastings's Defence at the Bar of the House of Commons.

Read, the following Extract from the Manuscript Defence of Mr. Hastings, P. 220.

"The Treasures she possessed," Mr. Bristow said, "were the Treasures of the State, as she had not succeeded to them by any legal Title;" the Nabob was, therefore, strictly justified in demanding them; and if there was any Thing in the whole Proceeding, which did not accord with the Sentiments of People in general, it was the Part we officiously took to prevent the Nabob's recovering the Whole of his Patrimonial Estate from those who fraudulently withheld it from him (a)."

Read, also, the following Extract from Page 222 of the same.

"It is not true that the Begums were left in Charge of the late Nabob's Treasures, or other valuable Effects, for the Purposes set forth in the Charge, of maintaining his Offspring and Dependants (the old Begum, the Mother of Shujah ul Dowlah, is entirely out of the Question), having had no Presents entrusted to her Care; but she became possessed of them in her Capacity of Trustee and Treasurer of the deceased, who, for some Time before his Death, "deposited the "Surplus of his Revenues with the Bow Begum, to provide against an Emergency." Hence the Whole of his Property, of what Sort soever, was in her Custody at the Time of his Death, but still as a Deposit, though from the Hands of his Mother; for they were the Rights of the State, which she had in Charge. But I must repeat, that I disapprove and still condemn the Interference of our Resident, because we had no Concern in it, and our Credit suffered in the Opinions of Mankind, from the natural Disgust which would be excited by a Contention between a Son and his Mother, and by our Appearance as Incendiaries, instead of Conciliators, in it (b)."

Read, also, the following Extract from Page 225 of the same.

"The Board approved the Ratification." The Board, I have said, approved of it, and I was a Member of the Board, but I was an inefficient Member of it; the Whole of this Transaction having passed under the Order and Guidance of the Majority of the Board, which excluded me from any Share in their Acts, equally in such as I approved, and in such as I disapproved. It will appear from the preceding Reasoning, that I approved of the Nabob's Assertion of his own Right to reclaim the Treasures of his Inheritance (c)."

Then the Witness produced Book 100, intituled, "Bengal Secret Consultations, 1st April to 20th May 1776."

Read, the following Extract, beginning Page 579 of the same Book.

"Fort William, 13th May 1776.

"At a Consultation; Present,

"The Honourable Warren Hastings Esquire, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, and } Esquires.
Philip Francis,

"Resolved, That the following Reply be written to Mr. Bristow.

"To Mr. Bristow.

"Sir,

"We have received your Letters of the 30th past and 1st instant.

"We conclude that you will be apprised of the Begum's ultimate Resolution with respect to the Payment of the Balance of her Account with the Vizier, before this Letter reaches you; and that you will either have recovered the Amount, or received her peremptory Refusal to pay it. We do not disapprove of your accepting of the Vizier's Transfer of that Debt to the Company; but as it is highly improper to make them the Instrument of asserting his Pretensions on any his Subjects, not in open Rebellion against him, and more particularly in enforcing disputed Claims on his Mother, we direct, that if she shall not have discharged the Assignment, or freely consented to pay it, when you receive this Letter, you will immediately return it to the Vizier, and leave it to him to adjust the Account with the Begum, accepting at the same Time any Part that she may be willing to pay you on Account (d).

[At the End]

"Fort William, 13th May 1776.

We are, &c."

(a) Vide supra, P. 414, Line 29.

(b) Vide supra, P. 414, Paragraph 3.

(c) Vide supra, P. 414, Line 6 from the Bottom.

(d) Vide Appendix, N^o XIII.

Then the Witness produced Book 38, intituled, " Bengal Secret Council, 10th June to 10th September 1776."

Read, the following Extract, beginning at Page 460 of the same Book.

" Fort William, 12th August 1776.

" At a Council; Present,
" The Honourable Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
Richard Barwell, } Esquires.
Philip Francis, }
Colonel Monson indisposed.

" Resolved, that the following Letter be written to Mr. Bristow.

" To Mr. John Bristow, Resident at the Vizier's Court.

" Sir,

" We have received the Letter you addressed to us on the 17th and 29th ultimo.

" We consent to your accepting the Offers which you acquaint us the Begum has made to you for the Payment of the Five Lacks of Rupees assigned by the Nabob to the Company; but with this express Reservation, that the Company's Right to reclaim from the Nabob himself the Amount of such Part as she may refuse to discharge shall not be impaired thereby. And we strictly caution you to avoid interfering or becoming a Party in any Differences which may arise between the Nabob and his Mother.

To Mr. Bristow.

" Fort William, 12th August 1776.

" We are, &c.
(Signed) (a)."

The Witness produced Book 101, intituled, " Bengal Secret Consultations, 15th January to 11th March 1776."

Read, the following Extract, beginning at Page 211 of the same Book.

" Fort William, the 7th February 1776.

" At a Council; Present,
" The Honourable Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Wednesday.

" Representation made by Mr. Bristow to the Nabob Afoph ul Dowlah.

" I have already presented for your Excellency's Inspection * Copy of a Letter addressed to the Governor, by her Excellency the Begum; the Contents of which you doubtless retain in your Remembrance. As you regard the Payment of Respect and Duty to the Begum in Preference to every other Consideration, it is incumbent on me to give you, in Writing, the Particulars of the Orders which I have received from the Governor and Council, on this Subject, that you may clearly comprehend them, and that there may be no Possibility of your losing the Memory of them. * Sic in Orig.

" 1st, Respecting the Goods and Effects which the Begum may have given, or may give, on Account of Part of the Thirty Lacks of Rupees, stipulated in the Coulnâmâ, that they be received on an Appraisement made by a Person mutually chosen for that Purpose. I recommend this Method of accommodating the Matter to your Excellency.

" 2d, Regarding the Begum's coming to reside in the Company's Territories, should this meet with your Approbation and Consent, the Governor and Council will undoubtedly agree thereto, and will treat her with that Respect and Honour which is due to her Rank. This the Governor has communicated to the Begum. Moreover, when the Begum has fulfilled the Conditions of the Coulnâmâ, she will not be liable to further Demands, or Trouble, on account of Money, and no One, agreeable to the Terms of the Coulnâmâ, will, in any Manner, obstruct or molest her. The English Company are the Guarantees of this.

" 3d, To the Begum's Request to recommend the Re-establishment of Mahomed Ellich Khan, and Mahomed Bushee Khan, in their former Appointments; the Governor and Council have answered, that your Excellency is the Master of your own Government, and that it does not become them to make such a Recommendation to you (b)."

(a) Vide Appendix, N° XIV.

(b) Vide Appendix, N° XV.

Read,

Read, the following Extract, from Book 38, already delivered in, beginning at Page 446, of the same Book.

“ Fort William, 12th August 1776.

Secret Dept.
Monday.

“ At a Council; Present,
“ The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
Richard Barwell, } Esquires.
Philip Francis, }
Colonel Monson indisposed.

Read, the following Letter from Mr. Bristow.

Mr. Bristow.

“ Honourable Sir and Sirs,
“ In consequence of the Information I gave the Honourable Board, I attended his Excellency to this Place, to obtain Payment of the Money due from the Begum, and a final Adjustment of her Accounts. The Vizier claimed Nine Lacks Sixty-three thousand nine hundred and sixty-six Rupees; but the Begum admitted only of Three Lacks Sixty-six thousand six hundred and seventy-six Rupees, Seven Annas, and Nine Pies; the Particulars of which are explained in the enclosed Account (N^o 1.). Neither Party would at first relinquish their Claim, and I apprehended a Settlement would not have been effected; but his Excellency, after two or three Interviews with the Begum, shewed a great Inclination to come to an Adjustment upon almost any Terms; and I, the Day before Yesterday, attended him to her Palace, when he agreed to take the specific Sum of Five Lacks. He set off immediately after for Lucknow, and left with me an Acquittance, of which the enclosed is a Copy (N^o 2). On the Vizier's Departure, the Begum objected to the Payment of the Whole in Money, and wanted me to accept three Lacks in Goods, which I declined; and informed her, if it was not perfectly agreeable to her to comply with the Vizier's Draft, I should not urge her to it, contrary to her Inclination. She afterwards gave up the Point of the Goods, upon Condition that she had Time granted her to provide the Money in.

“ The Periods she fixed were as follows, viz.

In Two Days	—	—	—	—	—	100,000
In Twelve Days	—	—	—	—	—	100,000
In Six Monthly Kifts, at 50,000 Rupees per Kift,	—	—	—	—	—	300,000
Owl Sicca Rupees	—	—	—	—	—	500,000

“ I said, I could not agree to these Terms without the Sanction of the Honourable Board; but offered to receive whatever Sums she would pay me, until their Approbation should arrive. To afford the Honourable Board further Information on this Subject, I herewith do myself the Pleasure to enclose the Copy of the Begum's last Letter to me (N^o 3). Lieutenant Grant will stay at this Place to receive the Two first Payments, all together amounting to Two Lacks of Rupees.

“ The Cloth was the only Article in the Account on which the Begum laid any great Stress; but by her own Confession it was much worm-eaten and damaged, so that by what I understood it could not be sold at a Fifth of what it was valued *.

“ The Begum in her Arguments principally urged the late Minister's having agreed to accept Eleven Lacks of the stipulated Sum in Goods, a Circumstance I well remember, though not mentioned in the Treaty; and under this Pretence she offered all the Cloths and Plunder taken in the Rohilla Campaign in Part Payment, at a most exorbitant Rate. I, for my Part, have been very cautious in laying any Thing to induce either the Vizier or Begum to adopt my Opinions in the Settlement that has taken Place, but to let them act entirely from themselves.

“ Fyzabad,
17th July 1776.

“ I have the Honour, &c.
(Signed) John Bristow,
Resident at the Vizier's Court (a).”

Read also, the following Extract from the same Book, Page 254.

“ Fort William, 22d July 1776.

Secret Dept.
Monday.

At a Council; Present,
The Honourable Warren Hastings, Governor General, President.
Lieutenant General John Clavering.
Philip Francis Esquire.
Colonel Monson and Mr. Barwell indisposed.

“ Resolved, That the following Reply be sent to Mr. Bristow.

“ To Mr. John Bristow, Resident at the Vizier's Court.

Mr. Bristow.

“ Sir,
“ We have received your Letter of the 7th instant. You inform us, that you are preparing to proceed to Fyzabad to procure an Interview with the Begum, to persuade her to the Payment of the Balance due to the Nabob.

" By going to Fyzabad to visit the Begum, you have exceeded our Intentions: However, as we suppose that Step is now taken, we can only express our Hopes that your Conference with her was conducted in Terms of Amity and Respect to her. If your Proposal to the Begum for liquidating her Accounts with the Nabob should not have succeeded, we direct you to desist from any further Application to her on that Account.

" Fort William,
the 22d July 1776.

We are, &c. (a)"

Read, the following Extract of a Consultation of the 23d September 1776, from Book 39, already delivered in, beginning at Page 32 of the same Book.

" Fort William, the 23d September 1776.

At a Council; Present,

The Honourable Warren Hastings, Governor General, President.

Richard Barwell, } Esquires.
Philip Francis, }

General Clavering indisposed.

" Received the following Letters from Mr. Bristow.

" Honourable Sir and Sirs,

" I addressed the Honourable Board on the 9th, 10th, and 11th instants, and am now to acknowledge their Letter of the 22d Ult^o.

" In going to Fyzabad to procure an Interview with the Begum, I had no Intention to interfere between her and the Vizier. I only went to be present when any Settlement might take place, without which the Begum never would have been satisfied, as she looked upon the Guarantee of the Company as her Security. My Rule of Conduct at Fyzabad not having exceeded this Line, and as the Five Lacks were on the Company's Account, I hope the Honourable Board will, for these Reasons, approve the Event of this Negotiation.

" (Signed at the End)

" Lucknow,
18th August 1776.

John Bristow,
Resident at the Court of Oude."

The Managers for the Commons stated, that they would next read Two short Passages to shew, that the Board, upon Enquiry, found, there was no real Cause of Complaint against Mr. Bristow.

Read, the following Extract of a Consultation of the 7th February 1776, from Book 101, already delivered in, beginning at Page 221 of the same Book.

" Fort William, the 7th February 1776.

" At a Council; Present,

" The Honourable Warren Hastings, Governor General, President;

Lieutenant General John Clavering,

The Honourable George Monson,

Richard Barwell, } Esquires.
Philip Francis, }

" Agreed, that the following Reply be written to Mr. Bristow.

" Sir,

" We have received your Letters of the 25th and 26th ult.

" It was not from any Impression which the Complaints contained in the Begum's Letter had made upon our Sentiments, that we took Notice of that particular Part which might be construed to relate to you, but merely to obtain from you a particular Explanation of the Circumstances alluded to, which we have now received.

We are, &c. (b)"

Read, the following Extract of a Consultation of the 30th December 1776, from Book 39, already delivered in, beginning at Page 786 of the same Book.

" Fort William, the 30th December 1776.

" At a Council; Present,

" The Honourable Warren Hastings, Governor General, President.

Lieutenant General John Clavering,

Richard Barwell, } Esquires.
Philip Francis, }

" The Board approve of Mr. Bristow's Conduct on Occasion of the Difference between the Nabob and the Bhegum his Mother (c)."

(a) Vide Appendix, N^o XVII.

(b) Vide Appendix, N^o XVIII.

(c) Vide Appendix, N^o XIX.

The Witness produced Book 40, intituled, "Bengal Letters received, 20th March 1776 to 6th January 1777."

Read, the following Extract of a General Letter from the Governor General and Council at Bengal to the Court of Directors, beginning at Page 329 of the same Book.

"Fort William, 12th September 1776. General Letter. Secret Department. Received per Syren, 26th April 1777. Signed, Warren Hastings, J. Clavering, Rich^d Barwell, P. Francis.

"To the Court of Directors.

"The Nabob has, at Length, agreed to sign a full Acquittal for the Thirty Lacks of Rupees which his Mother had engaged to advance him, on her promising to pay him, in ready Money, Five Lacks instead of Nine, which he claimed as the Balance due on that Account. He has assigned these Five Lacks to the Company in Part Payment of his Debts."

The Managers for the Commons stated, they had now laid before the House the Whole of the Dispute relative to the Goods offered in lieu of the Eleven Lacks, upon which Dispute so much Stress was laid by Mr. Hastings, in his Defence; and that they had thought it the more necessary to shew, what the Proceedings of the Board and of Mr. Bristow were upon the Occasion, because the Conduct of both was quoted by the Defendant, as a Precedent and Justification for the Proceedings against the Begums in the Years 1781 and 1782.

They further stated, they should next proceed to prove, that after this Dispute had been amicably terminated, there was a final Release executed, both upon the Part of the Nabob, and by Mr. Bristow. That the Papers were put together in a confused Manner upon the Records of the Company; and it might appear that the Extract now about to be read was only a Repetition of the before mentioned Treaty; but, in Fact, it was a final Release and Discharge, under the Joint Seals of the Nabob and Mr. Bristow.

Then the Witness produced Book 26, intituled, "Bengal Secret Council, 29th February to 24th July 1780."

Read, the following Extract of a Consultation of the 22d June 1780, beginning at Page 522 of the said Book.

Secret Dept.
Thursday.

"Fort William, the 22d June 1780.

"At a Council; Present,

The Honourable Warren Hastings, Governor General.

Philip Francis, } Esquires.
Edward Wheler, }

Lieutenant General Sir Eyre Coote absent on Visit to the different Stations of the Army.

"Appendix to Consultation, the 22d June 1780.

"Translate.

"Copy of an Engagement under the Seal of the Nabob Asfuph ul Dowlah Behadre, and of Mr. John Bristow, with his Signature in English, dated the 28th of Jemmalal Owai in the Year of the Hidgree 1190.

"I Asfuph ul Dowlah Behadre have, on the 19th of Shabaun, in the Year 1189 Hidgree, according to my Agreement, received the Sum of Thirty Lacks of Rupees, for the present Year Twenty-six Lacks of Rupees, on account of my old Debt, consisting of the following Articles; Ready Money and Goods, Jewels, Elephants, and Camels, &c. which have been settled with the Begum, my Mother, through the Mediation of the Heads of the Chiefs of the English, as my Inheritance from the late Nabob Sujah ul Dowlah, my Father, and have passed an Acquittance, in full of all Demands, to the Begum my Mother, on account of her Jagheers, Gunges, Kulledarrys (or Meat Markets), Gardens, Mints of Qwd and Fyzabad, &c. which the late Nabob in his Life gave to her. According to this, I agree and give in Writing, that agreeable to the aforementioned Engagement, I have myself received the full Amount of this Claim in ready Money and Goods from the Begum my Mother. I have now no Demand whatever upon my Mother; and on no Account will I oppose the Begum's Possession of the Jagheers, &c. belonging to her, which are included in the Engagement, and specified in the particular List; and I engage in this God, Mohamud, and the English Chiefs. I have wrote these Lines as a Receipt and Acquittance, which shall be in force now, and, if Occasion requires, be made use of (a)."

The Managers for the Commons acquainted the House, they had now concluded the Head of Evidence which related to the Rights of the Bhow Begum, the Mother of Asoph ul Dowla; and desired the House to observe, that these Rights had never been impeached by the Nabob, or any Body else; on the contrary, they had been admitted to her as far as the Jaghires, and the Treasures within the Zenana; and that they had been particularly upheld and supported by Mr. Hastings.

They should next proceed, therefore, to submit to the House, Evidence of the Rights of the Elder Begum, the Grandmother of Asoph ul Dowla, and her Treasures; and to bring before the House the Treaties of 1778, in which those Rights were confirmed by the Nabob, and guaranteed by the Company: First observing, as a Circumstance materially to be attended to, that the Women and Children stated to be in the lesser Palace, or Khourd Mahal, were virtually included in these Negotiations, and in the final Treaty and Guarantee.

The Witnesses produced Book 76, intituled "Bengal Secret Council, 8th January to 13th March 1778."

Read, the following Extract of a Consultation of the 9th of February 1778, beginning at Page 427 of the same Book.

" Fort William, 9th February 1778.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President.
Richard Barwell,
Philip Francis,
and
Edward Wheler, } Esquires.

Secret Dept.
Monday.

" Read the following Letters from Mr. Middleton.

" Honourable Sir and Sirs,

" The Honourable Board having been long ago informed of an Intention which the Mother of the late Vizier had formed of proceeding on a Pilgrimage to Mecca, and carrying with her the Remains of her deceased Son, she was prevailed upon by the Nabob Asuf-ul-Dowla, to suspend for a Time the Execution of this Design, but would not consent to relinquish it; and she has lately renewed it, seemingly with a firm Resolution to prosecute it.

15th Jan.

" When I was with the Nabob at Bahrach, he mentioned the Circumstance to me, with an Appearance of great Concern, and told me how exceedingly anxious he was to dissuade the Begum from so rash a Design; but doubted the Power of his own Influence to effect it, unless I would also unite my Endeavours and personal Entreaties. I assured his Excellency that I should be willing, on all Occasions, to afford him my Assistance in forwarding any Wish of his, which might be consistent with his own Honour and Reputation, and in no respect incompatible with the Duties of my Station; and as I was clearly of Opinion that he ought to endeavour, by every fair and amicable means, to prevent the Begum's abandoning his Dominions, I very readily promised him my Influence, as far as it could be properly exerted, to effect it. I confess, however, I had then little Expectation that his Excellency would ever really have occasion to call upon me for the Performance of this Promise, as the repeated Proofs I had had of the Caprice and Inconstancy of the Begum's Disposition, led me to pay little or no Regard to those Declarations, which I suppose were calculated merely to carry some particular Point with the Nabob, who she is sensible is exceedingly averse to her avowed Design; but the Contents of a Letter which the Minister received a few Days ago from the Widow of the late Shuja-ul-Dowla, in which she earnestly entreats him to prevail upon me to visit Fyzabad immediately, and other corroborating Circumstances, have inclined me to believe the Begum is now serious in her Declarations: In compliance, therefore, with the Nabob's Wishes, and his Mother's Solicitations, I thought it my Duty to proceed immediately to Fyzabad, and to use my Endeavours, as far as I can consistently with the Line of my Duty, to influence the Begum to relinquish a Design which, from her Age and Infirmities, she cannot enter upon with any probable Chance of accomplishing it.

" I arrived at this Place To-day; but as yet I have not had an Opportunity of conversing with the Begum upon the Subject of her intended Expedition. As soon as I have that Honour, the Board shall be duly informed of the Result; in the mean Time, I hope for the Honour of their Approbation of the Steps I have taken in this Business.

" I have, &c.

" Fyzabad, 15th January
1778.

(Signed) N. Middleton,
Resident at the Vizier's Court."

" Honourable Sir and Sirs,

" The Honourable Board will have been informed, from my Address of the 15th instant, of the Occasion and Object of my Journey to Fyzabad; I must now beg leave to trouble them with the

15th Jan.

the Substance of the Conversations which have passed between the old Begum and myself on the Subject of her intended Pilgrimage to Korbùlla.

" My first Visit having been entirely dedicated to Ceremony and Form, and the Begum having continued indisposed for some Days, no Subjects of Business were discussed until Yesterday, when I was concerned to find that my Suspicions of the Reality of her Design were but too well grounded. She was intirely prepared for the Journey, had taken a final Leave of the late Vizier's Family, and had appointed the 24th instant for her Departure from Fayzabad. Upon my respectfully representing to her the Difficulties and Inconveniencies which she must inevitably encounter in the Execution of this Purpose; the Dangers she would be exposed to in passing through Countries involved in Troubles; her own Inability, from her Age and Infirmities, to encounter these Difficulties; and above all, the Misfortune and irretrievable Loss which her withdrawing herself from these Provinces would be to her deceased Son's numerous Family, which, in its present Infant State, required that tender Care and Attention she alone, from her known Wisdom and Experience, and Concern for her * Wellfare, could be relied upon to give them: She observed, that her present Purpose was not of modern Invention, but had been her determined Object for many Years past; even before the Death of her late Vizier she had it in Contemplation, and was irrevocably bent upon putting it into Execution Three Years ago, had she not been prevented by the Sickness and Death of her Son: That since that unfortunate Event, her Mind had been constantly directed to the Care and Education of the young Family, which she thought she could not with Propriety leave, until they were in some Measure in a Situation to make their own Way in the World. All this was but the Preface to a Narrative of her own Grievances and Complaints against the Nabob, whose Deportment towards her, his Family and Relations in general, I cannot but admit is very exceptionable. The Heads of the Begum's Complaints are these:

" First, That the Nabob Asfui ul-Dowla had deprived her of the Allowance which had been established by the late Vizier, for the Maintenance of the Family of her deceased Husband, and had refused the Jaghyrs and Emoluments of all her Servants and immediate Dependants.

" Secondly, That his Excellency had made no suitable Provision for the late Vizier's Women and Children now at Fayzabad: That the Education of the Children had been entirely neglected, and their Situation wholly unattended to: And,

" Thirdly, The Nabob suffered his Favourites to infringe her Rights, to insult his Relations, and the ancient Dependants of the Family; and so far from affording her Redress in any of her Complaints against these People, she had Reason to believe he had connived at, and secretly encouraged such Conduct. These Causes of Complaint, although they were not the Origin of her present Design, she confessed had induced her to fix an earlier Period for her Departure than she should have otherwise done; but that she would consent, at my Entreaty, to remain Two or Three Months longer at Fayzabad, if I would engage, on my Part, that she should not be subject to such Insults and Mortifications which she had heretofore experienced; and that I would heartily unite with her and the young Begum, in settling the Nabob's domestic Affairs in a firm and permanent Manner, and fixing a certain Provision for the Support of the Women and Children of her deceased Son, and her own Relations, so that the Honour and Credit of her Family might be preserved inviolate. I assured the Begum, there was nothing she could possibly ask of me, tending to promote the Dignity and Reputation of her illustrious Family, which I would not most cheerfully accede to; that I would with Pleasure exert all my Influence with the Nabob to remove those Causes of Complaint which had hitherto existed; and I did not doubt but I should be able to prevail upon his Excellency to redress her Grievances, and to attend to the distressed Situation of her Family. She replied, she had experienced too many Proofs of the Nabob's Infidelity, and his total Disregard of every moral Obligation, to place the smallest Dependance upon his Promises; she therefore expected that whatever Assurances I might make her, and whatever Agreements might take place between us, should be wholly in my own Behalf, and not subject to the Pleasure of the Nabob, whom she did not doubt would be ready enough to make Professions, but without the most distant Idea of adhering to them. I requested the Begum would do me the Favour to give me in Writing the Substance of her Expectations, and the Services she required of me, that I might duly weigh them in my own Mind, and candidly inform her how far it would be in my Power to comply with them; which she promised to do To-morrow, when I shall do myself the Honour to address the Board again upon the Subject. In the mean time, I think it necessary to assure the Honourable Board, that as far as I have yet been able to learn, I think the Begum's Claims are very moderate and just, and such as it would be natural to suppose the Nabob cannot in Decency refuse.

" I have, &c.

" Fayzabad, 25th January
1778.

(Signed) N. Middleton,
Resident at the Vizier's Court."

" Honourable Sir and Sirs,

27th Jan.

" I had the Honour to address you under Date the 25th instant, acquainting you with the Substance of the Conversations which had passed between the Old Begum and myself on the Subject of her proposed Expedition to Korbùlla. I now do myself the Pleasure to forward you a Translation of a Writing she has presented to me, containing her several Requisitions and Claims, which she expects shall be complied with and guaranteed to her by the Company; so that it may not be in the Power

Power of the Nabob at his Pleasure to annul any of the Conditions, or deviate from any of the Provisions therein specified. That the Honourable Board may be clearly informed of the Nature and Propriety of the Begum's Expectations, I have subjoined short explanatory Observations to each separate Article; and if the Honourable Board shall be pleased to consider them after in the Light it appears to me, I hope to be favoured with their Permission to sanctify the Agreement in the Manner the Begum requires, in my Publick Character. I have referred the Subject to the Nabob for his Consideration and Approval; but I have little Expectation that he will of his own Accord acquiesce in the Begum's Propositions, however moderate and reasonable they may appear; and if he should, his Assent alone, without the Ratification and Guarantee of the English, will not be accepted as any kind of Security by the Begum. If however his Excellency approves of these Propositions, and gives them the Sanction of his Signature, I apprehend there will be no Impropriety in my becoming a Surety for their Performance, in which Case, the direct Interposition of the Honourable Board will not be necessary; but if, on the contrary, he should refuse his Concurrence, I beg Leave, with humble Submission, to suggest the Necessity of an immediate Exertion of their Influence to secure the Begum, whatever they may be pleased to consider her undisputed Rights; when I doubt not I should be able to prevail upon her to relinquish her Design of a Pilgrimage to Korbùlla altogether, though she at present declares her Intention of prosecuting it at the Expiration of Two or Three Months, even admitting her Requisitions are complied with. Indeed I have great Reason to believe she has no serious Intention of undertaking so arduous a Task, and that her View is only to withdraw herself from these Dominions, where the Treatment of her Grandson seems to have rendered her Residence disgusting and irksome to her, and to accept of an honourable Retreat, which I am informed has been offered her, for herself and Family, both by the King and Nudjiff Cawn. I am the more confirmed in this Belief, from her extraordinary Partiality to a young Man, who she has bred up from a Child, and adopted as her Son, and who she means shall inherit the Residue of whatever she may be possessed of, after deducting from it what she may consider an adequate Provision for her own Family, and immediate Dependants; which Intention she thinks she cannot so well execute in this Country, as the Vizier, no doubt, considers himself the legal Heir to her Property, and if unrestrained, I am certain, would pay very little Attention to any previous Disposition she might make of it. I form this latter Opinion upon some late Declaration which the Nabob has made, importing, that if the Begum was bent upon abandoning his Dominions, in Opposition to his Will, it was his Determination that she should not carry more with her than her Wearing Apparel.

" I have, &c.

" Fayzabad,
27th January 1778.

(Signed) N. Middleton,
Resident at the Vizier's Court."

The Managers for the Commons stated, that the Paper next about to be read, was a Requisition sent to Mr. Middleton by the Mother of the late Shujah ul Dowlah, and transmitted by him to the Board, with his Remarks upon each of the Articles contained in it. That it might not appear important at first; but it was extremely material, to prove, that the Elder Begum had the Guarantee of the English as well as the Younger Begum; which Circumstance, though expressly denied by the Defendant, they trusted they should make out to the Satisfaction of the House.

Read, the following Extract from the same Consultation, beginning at Page 450 of the same Book.

" Translation of a Paper presented, by the Begum Suddur-ul Nissa, Mother of the late Shujah-ul-Dowlah, to Mr. Middleton.

" In Consideration of your having come here on my Account, I will protract my Journey until the Norose, (about Ten Weeks), on the following Conditions:

" First, That I be permitted, without any Interruption or Molestation whatever, to remove the Remains of my deceased Son to any Place I may think proper; that I be allowed either to inter them here, or carry them with me to † Corbùlla; in short, that they shall be at my Disposal.

† Another Name for Mecca.

" Remark—The Remains of the late Shujah-ul-Dowlah are at present lying at Fayzabad. I believe it is the Intention of the Begum to carry them to Delhy, and to inter them with the Remains of her Husband, which were removed from hence to that Place.

" Secondly, That separate and sufficient Jaydaads be given for the Support of the Khord Maul, and my late Son's Children, suitable to their Rank and Situation; and that when the Children arrive at Ages of Maturity, I be permitted to enter into Treaties of Marriage for them, agreeable to my own Judgment and Discretion, and that a suitable Allowance be made for the Expences which may be incurred on the Occasion: That the Daughters who have been contracted may be sent to their intended Husbands, or the Husbands sent for to receive them; and those remaining in the Maul who are in the same Predicament, and not received by those to whom they have been contracted, be provided for; and that for such as may not be joined in Wedlock during my Residence here, it will be the Care of my Daughter Bow Begum to see done, as Opportunity may offer.

“ Remark—An Allowance of 12,800 Rupees per Month has been established for the Women of
 • See in Orig. • Khord Maul, and the late Nabob's Children, which will be adequate to the Support of the
 Children, and such of the Women from their Connection with the Nabob, are entitled to a
 Maintenance. The rest the Begum has consented to release from their Confinement.

“ Thirdly, That for the Support of the Family and Dependants of the Nabob Sufder Jung,
 my late Husband, who are all allied to me, the same Allowances be now made that were fixed in the
 Lifetime of Shujah-ul-Dowlah.

“ Remark—The Allowance made by the late Vizier for his Father's Connexions and Dependants
 was about 17,000 Rupees per Month, exclusive of the Begum's own Jagheer. This Allowance has
 been withheld from the Period of Shujah-ul-Dowlah's Death, and been disbursed from the Begum's
 private Purse.

“ Fourthly, That all my own Dependants are to remain under my exclusive Authority, and un-
 controuled by any other Person; that I shall not be molested in any Shape, if I should either give
 them their Dismission, or take them with me on my intended Journey.

“ Remark—By her own Dependants, she means the Relations and Connexions of her deceased
 Husband, Meer Hussian Allee her adopted Son, and such other Persons as immediately rely upon
 her for Support.

“ Fifthly, That at the Period of the Norose, I be permitted to proceed on my Journey, and that
 no Person whatever shall attempt to dissuade me from my Purpose; and that, if they should, I will
 not accede to any such Request.

“ Remark—This means nothing more, than that, at the Expiration of the Period she has fixed for
 her Residence here, she shall be at full Liberty to proceed out of the Provinces or not, as she
 thinks proper; and her Resolution, I will venture to say, will be entirely governed by the Treatment
 she may receive in the Interim from the Nabob.

“ Sixthly, That you will protect and take Care of my Allowances and Purgunnahs, which upon
 my leaving this Place I shall commit in charge to my Daughter Bhow Begum, with my own People;
 and in whatever City or Town I may take up my Residence, regular Remittances by Bill
 shall be made to me, and all my People, and Meer Hussian Ally Cawn shall not be molested or
 oppressed.

“ Remark—This Stipulation I apprehend is meant only to secure to herself and Assigns the
 Jagheers and Emoluments she now holds, in case of her removing from the Provinces. Her
 own Jagheer, which is now in her own Possession, is about a Lack of Rupees per Annum; be-
 sides which, she claims a Purgunnah in the Soubah of Allahabad, which was granted her in Ul-
 tumgaw by the King, a short Time before his Departure for Delhi, but never taken Charge of by
 her. She has produced the King's Sunnuds to me, which are authentic; but it seems extraor-
 dinary she should not have got Possession of the Purgunnah in her Son's Life-time; and I made
 that Remark to her, which she answered by saying, that whatever her late Son possessed she looked
 upon and commanded as her own; and that she was no Sufferer by leaving the Purgunnah in his
 Charge.—The Revenue is about a Lack of Rupees per Annum.

“ Seventhly, The foregoing Conditions and Stipulations I signify to you, and I trust to you to
 see them faithfully performed. The following are the specifick Rights which I expect to be con-
 firmed to me.

“ 1st. The Sayer Duties of Khoda Gunge and Allee Gunge.

“ 2d. Ultumgaw Purgunnah, Raury in the Soubah of Allahabad.

“ 3d. Vizier Gunge, the Garden of Sipahdar Khan, and Makee Gunge.

“ 4th. Monthly Allowances fixed by my late Son Shuja ul Dowlah, for the Family and Rela-
 tions of Sufder Jung.

“ 5th. The Jagheers of the following Khojah Serais, given by my late Son, and resumed by
 the Nabob Asfud ul Dowlah.

“ Muhrum Allee Cawn.

“ Mahmid Iltufant.

“ Mahmud Bhureab.

“ Mahmud Dannah.

“ 6th. Monthly Allowances, as before, of the following Persons.

“ Mahmud Janud.

“ Trumbuch Dots.

“ Hawkeim Mahmud Hussian Cawn.

“ Malony Mahmud Majied.

“ Remark—The Sayer Duties of Khoda Gunge, and Alla Gunge, are at present in the Be-
 gum's Collection; but other Gunges, by the Nabob's Authority, have been established close to
 them, under the Auspices of Rajah Bowanny Sing, and Hingem Cawn, his Excellency's Elephant
 Driver, who have used such Means to people and supply their Gunges as have effectually depo-
 pulated the Begum's; by which Means she has, for some Time, been deprived of the Duties the
 before

before collected. She requires that Bowanny Sing and Hingem Cawn be compelled to remove their Gunges.

" On the Second Article I have already remarked, Vizier Gunge, which the Begum had always the Duties of, has been depopulated in the same Manner as the Two former Ones, by the Erection of another close to it.

" 3d. The Garden of Sipahdar Cawn, and Mâhee Gunge, are in the Begum's Possession; but Depredations are constantly made upon her Rights in the latter, which she desires may be prevented.

" On the Fourth Head I have already remarked.

" 5th. The total Amount of these Jagheers, as they stand on the late Vizier's Records, is about 46,000 Rupees per Annum. Most of them were resumed soon after the present Nabob came to the Mufnud, by the Advice of the late Minister Mocktar ul Dowlah.

" 6th. These Allowances are very inconsiderable, not all together exceeding 10,000 Rupees per Annum.

" Eighthly, The Sum of 30,000 Rupees on account of a House, &c. purchased from Muhrum Ally Cawn, at Lucknow, be paid, the Particulars of which Purchase are as follow :

" The House, Stable, and the Kurhannahs.

" Two Houses in Jawar Tully.

" Peir Khan's Fort, Garden, and the Village of Gudoor, and the Cuttera of Rustumnagur.

" Remark—When the Nabob fixed his principal Residence at Lucknow, he took Possession of several Houses and Gardens belonging to the Begum and her Dependants, which he agreed to pay for upon an equitable Valuation. The Sum of 30,000 Rupees was admitted by his Excellency for the Possessions of Muckrum Ally Cawn, but never paid. The Begum expects that this Sum shall be reclaimed of the Nabob, or the Houses, &c. restored.

" The same Observations will apply to the Two following Articles.

" Ninthly, The Houses of Mahmud Illtafaut and Mahmud Janud, in Lucknow, to be paid for by the Nabob, or delivered up to their proper Owners.

" Tenthly, The Sum of 1,15,000 Rupees which the Nabob agreed to pay on Account of the Cost of Mutchy Bowan; the House of Jahub Jee, the Fort of Goolfain, with the Ground and Garden, the Barra Dewarry, on the Banks of the Gompty, the Bazar, Garden, and House of Rajah Mahanarain, the House of Benny Pushur, all in the Town of Lucknow, and for which the Nabob Asif ul Dowlah promised to pay at the Expiration of Two Months, but Two Years are now elapsed, without having performed his Engagement.

" Fyzabad,
27th January 1778.

(Signed) N. Middleton,
Resident at the Vizier's Court."

Read, the following Extract of a Consultation of the 9th March 1778, beginning at Page 624 of the same Book.

" Fort William, 9th March 1778.

" At a Council; Present,

" The Honourable Warren Hastings Esquire, Governor General, President;
Richard Barwell, }
Philip Francis, } Esquires.
Edward Wheeler, }

Secret Dept.
Monday.

" Honourable Sir, and Sirs,

" I am sorry to acquaint the Honourable Board, that I have not been successful in my Applications to the Nabob in Behalf of the Begum. He has positively refused to come to any immediate Determination upon any one of the several Points I have submitted to him; answering me only in general Terms, that it is his Intention to visit Fyzabad on his Return from his Hunting Party, when he will request my personal Assistance in accommodating all Matters of Dispute between him and the Begums. In the mean Time, he intreats me to take every Means in my Power to prevail upon the old Begum to suspend the Execution of her Purpose, until he shall have had an Interview with her; and to accomplish this Object, he even authorises me to make her such Assurances on his and my own Behalf, and * in my Judgment shall seem reasonable and just. 2d February.

" It is needless for me to remark upon the Ambiguity of this Reply, or the indefinite Terms in which his Authority to me is conceived. The Begum's Requisitions were laid before him in the Form I received them, clearly and specifically noticed; so that it required only that he should have given me his Sentiments upon them, and have informed me how far he wished me to engage his Compliance; but instead of this, he contents himself with desiring me to use every conciliating Argument I can with the Begum, to dissuade her from her Purpose, while he denies me the only Means by which he knew it could be effected, and by his Conduct, in Fact, strengthens and confirms her Resolution. I have acquainted the Begum with the Substance of the Nabob's Reply to my Letters, which she is by no Means satisfied with; and, indeed, I am myself convinced there is very little Faith to be placed on the foregoing Assurance; but she has, at my earnest Request,

* Sic in Orig.

Request, and from a firm Reliance on the Justice and Equity of the Honourable Board, consented to suspend her Journey until I may be favoured with your Sentiments and Decision upon this Reference, which I hope to be indulged with as soon as possible, as any considerable Delay might perhaps raise Doubts in the Begum's Breast as to the Part the Honourable Board would take in her Affairs, and induce her, at all Events, to take her Departure before your Decision reaches me.

" Fayzabad, 2d February 1778.

" I have, &c.
(Signed) N. Middleton,
" Ref^t at the Vizier's Court."

3d Feb. 1778. " Honourable Sir, and Sirs,
" I had the Pleasure to address you Yesterday; and having closed the Subject of the old Begum's Complaints and Requisitions, it is necessary I should now trouble you with those of the Bow Begum, who has, through me, demanded the Protection of our Government, and its Influence to restore and confirm her Rights.

" On my Arrival here, she addressed a long Letter to me on the Subject of her Affairs, covering the original Treaty which had been entered into between her and the Nabob, and guaranteed by my Predecessor on the Part of the Honourable Company; Copies of all which I have now the Honour to lay before you, together with a particular Account of the Begum's several Claims and Requisitions, with my own Observations on each Article.

" As most of these Claims are expressly admitted in the Treaty, and guaranteed by the Resident, I apprehend by publick Authority, I did not suppose the Nabob would have hesitated to comply with them: I therefore thought it unnecessary to take up the Attention of the Honourable Board with a Matter which had before been so particularly discussed and settled, and which, after such solemn Engagements on the Part of the Nabob, they would hardly expect could at this Time become a Subject of Dispute. His Excellency has, however, declined Compliance with them.

" Fayzabad, 3d February 1778.

" I have, &c.
[Signed at the End] N. Middleton,
" Ref^t at the Vizier's Court."

The Managers for the Commons stated, That having read Mr. Middleton's Account from Fyzabad, of the Complaints of the elder Begum, they should next proceed to shew the Opinion of the Council upon hearing those Complaints; and it was material to observe, that Mr. Hastings, at this Time, had, in Effect, the whole Government in his own Hands.

The Witness produced Book 77, intituled, " Bengal Secret Council, 23d March to 21st May 1778."

Read, the following Extract of a Consultation of the 23d March 1778.

" Fort William, the 23d March 1778.

Secret Dept.
Monday.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell,
Philip Francis, } Esquires.
Edward Wheler,

" Reconsidered the Letters from Mr. Middleton, dated the 25th and 27th January, recorded in Consultation the 9th February; and of the 2d and 3d February, recorded in Consultation the 9th March.

" Resolved, That the following Letter be written to Mr. Middleton.

To Mr. Middleton.

" Sir,

" We have duly considered your Letters of the 25th and 27th January, 2d and 3d February, on the Subject of the Complaints and Requisitions of the Old Begum and Bow Begum.

" We can have no Right to interfere between the Vizir and his Relations or Subjects, for the Redress of any Grievances which they may sustain from him, except by Remonstrance, or in Cases that we shall deem of a Nature so gross and enormous as to cast a Reproach on the Company, and to involve and affect the Dignity of the British Name, by withdrawing ourselves from such a dishonourable Connection: We must therefore decline giving you Authority at present to insist on the Nabob's immediate Restitution of the Property claimed by the Family of the Old Begum, and by the Family of Nabob Sheir Jung, deceased; but as we approve of the Means you have taken to conciliate the Differences that have arisen from the former, and dissuade the Nabob from the Act of Oppression which he intended to commit on the Estate of the latter, we desire you will repeat your Remonstrances to the Vizir on both these Points, in the Name of this Government, representing to him the Consequences of such an arbitrary Proceeding, the Re-
proaches

proaches to which his Honour and Reputation, as well as ours from being connected with him, will be exposed by such Acts of Cruelty and Injustice, and the Right, which we derive from the Nature of our Alliance with him, to expect that he will pay a Deference to our Remonstrances.

" If he shall persist in his Refusal, after this, to agree to any reasonable Terms, you are to take no further Steps till you have advised us thereof, and of every Circumstance attending it, that we may give you our final Orders for your Guidance.

" Having given the Old Begum such a Proof of our Desire to assist her, and to obtain Security for her in her present Situation, we hope she will be satisfied to continue where she is, as we can by no Means encourage her Wish to remove, with her personal Wealth, from the Nabob's Dominions.

" With respect to the Bow Begum, her Grievances come before us on a very different Footing; she is entitled to our Protection by an Act not sought by us, but solicited by the Nabob himself, and granted in Compliance with his and her Request: We therefore empower and direct you, to afford your Support and Protection to her, in the due Maintenance of all the Rights she possesses, in virtue of the Treaty executed between her and her Son, under the Guarantee of the Company, and against every Attempt that may be, directly or indirectly, made to infringe them. At the same Time that we recommend the greatest Delicacy to you, in every Case of this Nature, we desire you will act with Firmness and Resolution, and, as far as you can, with Effect.

" [Signed at the End,]

Warren Hastings,
Richard Barwell,
P. Francis,
Edward Wheler."

The Managers for the Commons requested the House to observe, that Mr. Middleton had applied for a conditional Permission from the Board to execute the Treaty of Guarantee to the Elder Begum; that such Permission was, for some Time, withheld by the Board; and the Report states, that, " having given her such a Proof of their Desire to assist her, they hoped she would be satisfied to continue where she was, as they could by no Means encourage her Wish to remove with her personal Wealth from the Nabob's Dominions." That it appeared, it was not her Intention to remain, (and it was so stated by Mr. Middleton,) except under the Guarantee of the Company.

That her personal Wealth was considerable; and they would shew, in Contradiction to what was stated by Mr. Hastings, that the Elder Begum was actually plundered of her Wealth, after she had consented so to remain in the Dominions of the Nabob, under the Faith of the Company's Guarantee.

The Witnesses produced Book 26, already delivered in.

Read, the following Extract of the Appendix to a Consultation of the 22d June 1780, beginning at Page 524 of the same Book.

" Fort William, the 22d June 1780.

" At a Council; Present,

" The Honourable Warren Hastings, Governor General;

Philip Francis, } Esquires.
Edward Wheler, }

Lieutenant General Sir Eyre Coote absent on a Visit to the different Stations of the Army.

" Appendix to Consultation the 22d June 1780.

" T R A N S L A T E.

" Copy of an Agreement under the Seal and Signature of Mr. Middleton, to all the Particulars of which he engages to procure a Treaty from the Nabob Affuph ul Dowlah, after his Arrival, and that he will also sign it as follows:

" 1st. That whenever the Begum shall chuse to go to Mecca, she shall be permitted to go.

" 2d. That when the Nabob shall arrive, I (Mr. Middleton) will procure suitable Allowances to be made to the Ladies of the Zunna *, and the Children of the late Nabob Sujah ul Dowlah, and * Sic in Orig. take Care that they are paid.

" 3d. That the Festivals (Shaddee) and Marriages of the Children of the late Nabob Sujah ul Dowlah, shall be at the Disposal of the Begum; whenever she thinks proper she shall marry them; and if the Begum shall go, she shall have the Authority to appoint and settle their Marriages; and whatever Money shall be necessary, for these Expences, shall be paid by the Nabob.

" 4th. That the Syer of Coda Gunge, and Ally Gunge, shall be retained by the Begum as heretofore.

" 5th. That I (Mr. Middleton) will, upon the Arrival of the Nabob, procure Vizier Gunge and the Garden of Sepoy Daud Khaun, or their Equivalent, for the Begum.

" 6th. That I (Mr. Middleton) will endeavour to obtain from the Nabob, the Sum of 1,15,000 Rupees, on Account of the Purchase of Metchee Bohaun, and the House of Sahebjee, and the Fort of the Goffein, with the Land and Garden, and the Barraderry on the Banks of the Goomty and Bazar, and Garden of the House of Mahnarain, and the House of Beny Perfaud at Lucknow, all of which the Nabob Asfuph al Dowlah has assumed Possession of.

" 7th. That I will settle with the Nabob, the Allowances to be made in ready Money, to the Ladies of the Zunana, and others, specified in the following Account :

				per Month.
To the Ladies of the Zunna	—	—	—	13,650
To Meer Husein Ally Khaun Bahadre	—	—	—	2,000
To Ahmed Ally Khaun	—	—	—	400
To the Doctors	—	—	—	1,000
To Mahmud Javaid	—	—	—	140
To Molavie Madjeed	—	—	—	60
				<hr/> 17,250

" 8th. Upon the Arrival of the Nabob Asfuph al Dowlah Bahadre, I will endeavour, with all my Influence, to settle the Monthly Allowances of Mohrum Ally Khaun, and Mahmud Eltafaut Khaun, &c. the Attendants of the Begum.

" 9th. If the Begum shall go to Mecca, she shall leave her Mahls and Jaghires to the Begum, the Mother of Asfuph al Dowlah, who shall remit the Revenues thereof to the Burree Begum. No one shall prevent her enjoying her Jaghires (a)."

The Counsel for the Defendant observed, That the Papers were Enclosures from Mr. Purling; and that the First Time they appeared upon the Consultations, was in June 1780.

The Managers for the Commons stated, That the Copy of this Treaty was certainly not transmitted at the Time by Mr. Middleton, which was a very material Circumstance, and One on which they should dwell much, when they came to state under what Circumstances it came enclosed from Mr. Purling; but they thought it clearer to have the Treaty inserted here; and when they came to the Year 1780, they should then state those Circumstances under which it was so transmitted to the Council from Mr. Purling. That they were aware, the Counsel went on a Supposition that Mr. Middleton had not a direct Authority from the Board to execute this Treaty; but they would clearly shew, that he must have acted by the Authority of the Board, and that it had all the binding Force that such an Authority could have given it.

" T R A N S L A T E.

" Copy of an Engagement under the Seal of the Nabob Asfuph ul Dowlah, and under the Seal and Signature, in English, of Mr. Middleton, as follows:

" 1st. I, who am the Nabob Asfuph ul Dowlah Bahadre, do agree that the Jagheers and Gunges, and Monthly Allowance of the Officers and Servants, and of the Ladies of the Zunana, and of those specified in the Account annexed, shall be at the Disposal, and under the Management and Authority of the Begum; and no one shall oppose or prevent it. This I will punctually observe. In this Agreement Mr. Middleton and the English are engaged.

" 2d. Whenever the Begum may chuse to go to Mecca, I will not oppose it.

" 3d. Whenever the Begum shall go to Mecca, she shall leave her Lands, Jagheers, &c. either in the Care of my Mother or of me; and I will procure Bills for the Amount of their Revenues, and send them to her: No one shall oppose this.

" 4th. The Begum shall have Authority over all the Ladies of her Zunana. She shall let them remain with me, and not allow them to go any where without my Permission, or keep them with her.

" 5th. The Jagheers Khodah Gunge, Ally Gunge, &c. with the Mahl and Syher belonging to the Begum, and made over to her, shall remain as heretofore in her Possession.

" Particulars of the Salaries allowed.					Per Month.
Allowances to the Family of Boorhaun ul Mulk	—	—	—	—	10,000
Allowance to Meer Husein Ally Khaun	—	—	—	—	2,000
D ^o to Ahmed Ally Khaun	—	—	—	—	400
D ^o to Doctors	—	—	—	—	1,000
D ^o to Molavie Mudjeed	—	—	—	—	60
					<hr/> 13,460

" 6th. I have passed a Bond, payable in Six Months, for 1,15,000 for the Price of Houses, &c. and, God willing, I will pay the Amount when it shall become due.

" 7th. I have bought Vizier Gunge and the Garden of Sepoydaud Khaun, in Allahabad, of the Begum, for 10,000 Rupees, and, God willing, I will pay the Amount in Six Months.

" 8th. The Begum has Authority over the Ladies and Attendants of the Zunana. Neither myself nor any one else will oppose it.

" 9th. The Begum (my Grandmother) shall have the Authority in all Festivals, and in the Marriages of the Children of the late Nabob Sujah al Dowlah, and, with the Consent of my Mother and myself, shall regulate them, excepting in the Festivals (Shâdee) the Authority is mine.

" The English are Guarantees to the above Engagements as long as the Begum shall exist (a)."

The Counsel for the Defendant desired to know, whether this Instrument was executed by the Nabob ?

The Managers for the Commons acquainted them it was, by the Seal of the Nabob being affixed to it;—that it was well known the Nabob never signed his Name.

Then the Managers for the Commons requested the House to observe, that the Protection and Allowances to the Women and Children in the Zenana, and in the Khourd Mahal, were included in this Negotiation and Guarantee.

Then the Witnesses produced Book 102, intituled, " Publick Persian Correspondence, received for the Year 1778."

Read, the following Letter from Bahoo Begum to Mr. Hastings, beginning at Page 368 of the same Book.

" From Bahoo Bhegum : Received 15th November 1778.

216. " The Receipt of your Highness's Letter, containing the agreeable News of your Welfare, afforded me inexpressible Pleasure. I formerly sent you, by Shagoon Ally Khan, Copy of an Engagement under the Seal of Mr. John Bristow, which you doubtless inspected.

" As you formerly wrote me that a Ship was ready, and that I might come whenever I pleased, I was Eight Months earnestly desirous of repairing to Kerbella; but my Son, Asoph ul Dowlah, sent Mr. Middleton to prevent me, who made me a Promise that if, at the End of Twenty Months, I continued desirous of prosecuting the Journey, no one should obstruct me. On the 15th of Shabaun (8th September) Mr. Middleton came to Fyzabad, and spoke of my Departure, and told me to desire the Nabob's Presence here, and that all Matters should be settled.

" Notwithstanding the Displeasure I bore towards my Son, yet, to oblige Mr. Middleton, I wrote him a Letter of Invitation, and he in consequence arrived here on the 1st of Ramzaun (23d September).

" I talked to him in a Style of Affection and Regard. Three Days afterwards my Son discontinued the Consideration of my Affairs, and entered upon other Subjects, proposing to me to give up the Gunges, Mint, Cullahdang Gardens, and the Havelee at Gorukpore, all which are included in the former Engagement, in lieu of some other Places in the Neighbourhood of my Jaghiers. I told him, that in case the Exchange were made, the Engagement would not remain in Force. He then sent me a Message by Mr. Middleton, that if I did not consent to the Exchange, my Refusal would be the Cause of the greatest Disturbances, and many People would lose their Lives. I was left without an Option, and had no Remedy; and to this Day, which is the 17th of Ramzaun (9th October), the Places to be given in Exchange have not been fixed on; and on the 10th of Ramzaun (2d October) my Son, and on the 12th Mr. Middleton, set off from hence for Lucknow. My Son gave me another Engagement, under his own and Mr. Middleton's Seal. Consider, my Friend, what Reliance can be placed on any Engagement, if it may be withdrawn, and a new one executed in this Manner; or what Confidence can an Engagement give? I request that you will send me a Letter to Mr. Middleton, in express Terms, to make the Exchange, if agreeable to me; otherwise to desist, and to execute and deliver to me such a Treaty as I shall desire, which may remain as a solemn Voucher, to be employed as Occasion may require; and further, that he shall afford me his Support whenever I shall require it. Let this Letter also direct, that the Corpse of the late blessed Nabob, which is deposited at Fyzabad, be relinquished to my Disposal, that I may either carry it with me to Kerbella, or send it thither before me; for it is a Duty, and highly meritorious, to cause the Body to be interred in that holy Ground, which will promote its future Happiness. It is incumbent on your Friendship to give me this Proof of Regard. My Son now declares, both in publick and private, that he is offended with me, his Mother, for having applied to the English for the Settlement of my Affairs; and that he will take such Measures, that whatever I may desire of them, they shall act in direct Opposition thereto;

(a) Vide Appendix, N° XXII.

and that he will ruin me by their Means—That it is well known to all Ranks of People, the former Coulnama specifies that he is clear from every Claim on the Part of his Mother, and nevertheless that she will not yet leave him at Kist.

“ God is my Witness, that against all these Afflictions and Hardships I have no Support but your Favour, which I hope you will exert so effectually, as to relieve me from them. I shall send Akbar Ally Khan to your Presence, after the End of Ramzaun, who, having been an Eye Witness of every Transaction, will represent them fully to you.

“ The most astonishing Circumstance of all is, that my Son gave me the Coulnama with his own Hand, at Night; and before I could have Time to read it, he set off for Lucknow: When I had read it, I found it mentioned, “ Besides the Places I receive in Exchange, I will take Possession of other Places also.” On perceiving this, I was surprized and confounded, and cried out, “ My God! what Kind of Treaty is this!” I sent the aforesaid Treaty to Mr. Middleton, who took it with him, and getting on Horseback, followed my Son, and overtaking him in the Way, he caused the Engagement to be altered, and brought it back to me. I have written you for your Information this Account of the late Transactions, and shall inform you of what may happen hereafter.

“ I have nothing to expect, except through the Influence of your Favour. I am hopeful that you will recollect your long-established Regard for me, and will take such Measures as may promote my Interest.”

The Managers for the Commons requested the House to observe, that it appeared by the Letter just read, that the Treaty was executed and brought back by Mr. Middleton to the Begum.

Then the Witness produced Book 103, intituled, “ Bengal Publick Persian Correspondence: Letters received pro Anno 1780.”

Read, a Letter from the Bahoo Begum to Mr. Hastings, beginning at Page 78 of the same Book.

“ From the Bahoo Begum, received 29 April 1780.

“ At present the Naibs have begun a Negotiation about the Nabob's Jaghier, of so remarkable a Nature, that it has greatly alarmed us. For first, his Jaghier is by no Means equal to his Dignity; yet, on account of the present State of Affairs, he has contented himself with it, though it approaches not to his Expences. Secondly, About a Year and a Half ago, Mr. Middleton gave a positive Promise to him, that he would take care no Interruption should be given to his Jaghier, or that of the late Istekar ul Dowlah, and entered into a sacred Engagement to this Purport. It is now Matter of great Astonishment to us, that, notwithstanding all this, such a Negotiation should have been thought of, since your Highness can have no Wish that the Nabob's small Income should be stopped, as the Promises of the English Chiefs are as if written on a Stone, and can admit of not the smallest Variation (a).”

The Managers for the Commons requested the House particularly to observe, that through the Whole of these Transactions, in the Years 1775 and 1778, there was not the smallest Insinuation against the general Disposition of the Begums towards the English Government. That it was expressly alledged by the Defendant, that the Begums shewed a constant Disaffection and Hatred to the English: Whereas they should prove, that when this Treaty was communicated to the Board at Calcutta by Mr. Purling, the Board recognised the Treaty, and acted upon it; but, as a Distinction might perhaps be taken between a Treaty executed by the Resident, and a Treaty executed by the Council, or by the Governor General upon the Part of the Council, they should next read a short Extract of a Letter written by Mr. Hastings, to shew his Opinion upon that Subject.

The Witness produced Book 90, intituled, “ Bengal Publick Persian Correspondence, sent 1778. Received per Ganges, 24th February 1781.”

Read, Extract of a Letter from Mr. Hastings to Fize Ulla Khan, dated 15th June 1778, beginning at Page 28 of the same Book.

“ To Fize Ullah Khan.

Written 15th June 1778.

“ It is with the greatest Pleasure I learn from Mr. Middleton, that the Treaty which subsisted between you and the late Nabob Sujah ul Dowlah, has been renewed by the present Vizier with

(a) Vide Appendix, N° XXIII.

such additional Stipulations in your Favour as to leave you in the quiet and undisturbed Enjoyment of whatever the Country*, which form * your Jaghier, may, by Care and Attention, be made to produce, and that he has affixed his Seal to it on the Part of the Company as Guaranty. The Apprehensions you at first expressed of the Authenticity of the Guaranty, because it did not bear the Seal of the Company, were entirely groundless. The Objection of the Company to Guaranty the Treaty which has been renewed between you and the Vizier is equally binding on them, by having the Seal of the Resident on their Part affixed to it, as if it bore their own Seal.” • Sic in Orig.

Then the Managers for the Commons stated, they would presently call Mr. Middleton to give Evidence relative to this Treaty: in the mean Time would read an Extract, to shew what the Opinion of the Nabob was, concerning the Women under the Care of the Elder Begum, it being stated by the Defendant that they were insignificant Persons, scarcely worth Notice or Care.

The Witnesses produced Book 105, intituled, “ Bengal Secret Persian Correspondence, 1782.”

Read, Extract of a Letter from the Vizier, received the 23d of August 1782.

“ From the Vizier.

“ Received 23d August 1782.

“ I never found Resource equal to the necessary Expences: Every Year, by taking from the Ministers, and selling the Articles of my Harkhanna, I, with great Distress, transacted the Business; but I could not take care of my Dependants; so that some of my Brothers, from their Difficulties, arose and departed; and the People of the Khord Mahault of the late Nawab, who are all my Mothers, from their Distresses, are reduced to Poverty, and involved in Difficulties.— No Man of Rank is deficient in the Care of his Dependants, in Proportion to his Ability (a).”

The Witnesses produced Book 104, intituled, “ Bengal Publick Persian Correspondence; Letters received pro Anno 1784.”

Read, a Letter from the Vizier to Mr. Hastings. N° 79.

“ From the Vizier.

“ Received 31st July 1784.

“ My Brother, dear as Life, Saadut Alli Khan, has requested that I would permit his Mother to go and reside with him. My Friend, all the Mothers of my Brothers, and the Women of the late Nawab, whom I respect as my own Mothers, are here; and it is incumbent upon me to support them. Accordingly I do it, and it is improper that they should be separated, nor do I approve it. By God's Blessing, and your Kindness, I hope that all the Women of the late Nawab may remain here. It is the Wish also of my Grandmother and my Mother, that they should.”

Read, Extract of Mr. Hastings's Defence, delivered in at the Bar of the House of Commons, from Page 222 of the Manuscript.

“ It is not true that the Begums were left in Charge of the late Nabob's Treasures, or other valuable Effects, for the Purposes set forth in the Charge, of maintaining his Offspring and Dependants. The Old Begum, the Mother of Shujah ul Dowlah, is entirely out of the Question, having had no Presents entrusted to her Care; but she became possessed of them in her Capacity of Trustee and Treasurer of the Deceased; who, for some Time before his Death, “ deposited the Surplus of his Revenues with the Bow Begum, to provide against an Emergency.” Hence the Whole of his Property, of what Sort soever, was in her Custody at the Time of his Death, but still as a Deposit, though from the Hands of his Mother, for they were the Rights of the State which she had in Charge. But I must repeat, that I disapprove, and still condemn the Interference of our Resident, because we had no Concern in it, and our Credit suffered in the Opinions of Mankind, from the Natural Disgust which would be excited by a Contention between a Son and his Mother, and by our Appearance as Incendiaries instead of Conciliators in it. But no Man could ever assert or believe that it was therefore her own. It was undoubtedly a constituent Part of the hereditary Estate, which devolved to the Nabob Asaph ul Dowlah on his Father's Demise; and as such, ought to have been wholly delivered up to him; but the Begum refused to give up any Thing until coercive Measures were threatened, and then she consented only to the Payment of Thirty out of One hundred and seventy Lacks, which Mr. Bristow declared, that, on the most moderate Computation, she possessed; and making a Merit even of this Condescension, she was suffered to demand, and actually to exact, from the Nabob, an Increase of Jagheers to Ten

(a) Vide Appendix, N° XXIV.

Times the Amount of the Income which had been settled upon the Old Begum by her deceased Son, Shujah ul Dowla, for the Maintenance of herself and the numerous Family and Dependants of her late Husband, Sufdur Jung. The Agreement thus entered into between the Nabob and his Mother, was ratified by Mr. Brilow, without any Authority; but as the Urgency of the Case rendered it necessary, the Board approved the Ratification. The Board, I have said, approved of it, and I was a Member of the Board, but I was an inefficient Member of it; the Whole of this Transaction having passed under the Order and Guidance of the Majority of the Board, which excluded me from any Share in their Acts, equally in such as I approved and in such as I disapproved. It will appear from the preceding Reasoning, that I approved of the Nabob's Assertion of his own Right, to re-claim the Treasures of his Inheritance.

"It is not true, that the Women and Children of the late Nabob were left, or intended to be left, dependant on the Bow Begum. They were separately provided for; and though, from the Failure of the Funds assigned for their Maintenance, they were too often subjected to great Inconvenience, they never experienced any Acts of Benevolence from the Begum, beyond an occasional Donation of a few Rupees to the Children, when she condescended, which was indeed very seldom, to permit them to wait upon her. Neither is it true, that the Jagheers were left the Begum by the late Nabob. At the Time of his Death, the Districts which afterwards constituted the Jagheer, were held by the Begum on the Footing of a Farm, under the Name and Management of Jowar Ally Cawn, with whom the Accounts of the same were annually adjusted at the Khalla. To the present Nabob therefore she was indebted for the principal Part of her Jagheers (a)."

Read, Extract from the printed Paper, called "The Second Defence of Mr. Hastings," Page 4, Paragraph the last.

"Begums are the Ladies of an Eastern Prince. But these Women are also styled, The Ladies of the late Vizier: Their Sufferings are painted in strong Colours; and the unsuspecting Reader is led to mix the Subjects together, and to suppose that these too were Princesses of Oude, since the Title prefixed to this Article of the Charge proposes that, and no other Subject; and that all their Sufferings proceeded from some Act of mine, or had the Sanction of my Authority or Permission. The Fact is, that the Persons of the Khôrd Mahl (or Little Seraglio) were young Creatures picked up, wherever Youth and Beauty could be found, and mostly purchased from the most necessitous and meanest Ranks of the People, for the Nabob's Pleasures." (b)

Then the Managers for the Commons said, they would next read a Passage from the Answer of the Defendant, delivered in at the Bar of the House of Lords, in which he doubts whether there were any Children at all.

Read, the following Extract from the Copy printed by Order of the House, Page 18.

"But he says, that the said Women, who were mostly Persons of low Condition, and the said Children, if any such there were, lived in the Khourd Mahl, on an Establishment entirely distinct from the said Begums (c)."

Then Nathaniel Middleton Esquire was called in, and sworn.

Then the Managers for the Commons acquainted the House, that, previous to their putting any Question to the Witnesses, they thought it right to state the Claim they had to the particular Indulgence of the House with respect to the Mode of Examination they might find it necessary to pursue, from the Situation in which Mr. Hastings himself considered some of the Witnesses they should call, to stand towards him. For which Purpose, they would read Two or Three Passages from the Defence of Mr. Hastings, delivered at the Bar of the House of Commons.

Read, accordingly, the following Extract from Page 5 of the Manuscript Defence.

"If this Honourable House is desirous of knowing in what Estimation I stood with the Princes and Rulers of India, and with the Subjects of our own Dominion, the Opinions of both may be easily obtained by Enquiry of the Witnesses whom my Prosecutor has called to establish his Charges against me; and I will anticipate their Evidence. It will state, that my political Conduct was invariably regulated by Truth, Justice, and good Faith; that all Persuasions of Men were impressed with a superstitious Belief, that a fortunate Influence directed all my Actions to their

(a) Vide supra, Page 414, Par. 3.
(b) Vide supra, Page 367, Line 26.

(c) Vide Appendix, N° XXV.

destined Ends; and that my Departure was scarcely less regretted by the Inhabitants of the Provinces of my late Dependency, than it was by my own Countrymen. I believe this Honourable House is in Possession of One Testimony of the former, in the Letters which Mahdajee Sindia wrote to his most Gracious Majesty, and to the Company (a)."

Read, also, from the same Paper, Page 210.

" Preface to the Fourth Charge.

" Before I proceed to reply to the Charges respecting my Conduct to the Begums, and on the Affairs of Oude, I must observe that they contain Particulars, of which I was totally ignorant until I read them in the Charges. I am therefore very much indebted to the Assistance of Mr. Middleton, and to the Information of Gentlemen who were in Oude when the Transactions alluded to happened. By these Aids, I have been enabled to reply fully to these Charges, and every Assertion in my Reply is capable of Proof, either by Documents, now before this Honourable House, or by Evidence ready to be produced at its Bar." (b)

Read, also, from the same Paper, Page 460.

" The Testimony of Colonel Hannay cannot now be had; but his Explanation to Mr. Middleton of the Motives of his Conduct to the Begums and their Agents, at that critical Conjunction of his own and the national Affairs, that Gentleman will be ready at any Time to certify on Oath, and the Evidence of Captain Gordon may possibly throw further Light upon the Subject." (c)

Then the Witness was asked,

Q. What Part of Mr. Hastings' Defence did you compose?

A. I do not know that I composed any Part of it. I furnished Major Scott with some Memoranda respecting the Begums of Oude.

Q. Have you been present at any Consultation with the Counsel for Mr. Hastings, or with the Attorneys employed in his Cause?

A. I have been occasionally with Mr. Hastings' Counsel.

Q. Upon Matters relating to this Cause?

A. Not expressly; but Matters relating to this Impeachment have occasionally risen in Conversation.

Q. Be a little more explicit upon that Subject. My Question is, Whether you have not been at Meetings where the chief Object was the Conduct and Management of this Cause, and that the only Object that was discussed?

A. I do not recollect I have.

Q. Were the Counsel Acquaintances of yours; did you know them previous to the Commencement of this Impeachment?

A. I did not.

Q. Where were the Meetings, at which you were present, held?

A. I have been at Drapers Hall, when the Counsel have been assembled there.

Q. At whose House, or Office, at Draper's Hall?

A. At the Office of Mr. Smith.

Q. Who is Mr. Smith?

A. I understand him to be Mr. Hastings' Solicitor.

Q. (*Cross examined.*) Whether, upon your Application to the Counsel of Mr. Hastings, they did not absolutely refuse to give you their Advice, and acquaint you, that if you wished for Advice, you must go to some other Counsel for it?

A. They did.

Q. Whether you came, in consequence of any Summons, to meet the Counsel of Mr. Hastings at any Consultation, or to meet Mr. Scott, or any other Person?

A. I came accidentally there.

Q. Whether the Counsel for Mr. Hastings did not specially recommend it to you, to apply to some Body else, to some other Counsel, for Advice?

A. They did.

Q. Did you advise with any other Counsel?

A. I did.

(a) Vide supra, Page 18, Line 20.

(b) Vide supra, P. 413.

(c) Vide supra, Page 418, Par. 2d.

Q. (*by the Managers.*) How many Times have you accidentally called upon Mr. Smith?

A. I cannot say exactly; I was there several Times.

Q. Do you mean to have it understood, that your being there all the Times which you were there was, each Time, accidentally, or that you came there, with a View to give any Information you could?

A. I have gone there, I think, with Major Scott Two or Three Times.

Q. Was that accidentally, or was it for the Purpose of giving Assistance or Information, upon this Matter?

A. I came there for the Purpose of giving any Assistance I might be enabled to give.

Q. (*By the Counsel.*) Did you go there for the Purpose of being examined, so as to enable the Defendant to know what Evidence you could give, if called upon in this Cause?

A. I apprehend they did wish to know what Evidence I could give; I don't know—(*Interrupted*).

Q. You said, you apprehended they did wish to know, what Evidence you could give; and you was going on to say, "I don't know—:" What was the Rest of your Answer?

A. I cannot say they expressed that to me.

Q. Whether you have not attended Meetings of the Managers of the House of Commons for the same Purpose of furnishing them with Evidence?

A. Yes.

Q. You were summoned there?

A. I was summoned there.

Q. (*by the Managers.*) When you was summoned by Order of that Committee, whether you answered the Questions put to you by the Committee?

A. Some I answered, and some I objected to.

Q. By whose Advice did you refuse to answer the Secret Committee, employed to examine you?

A. I conceived the Questions tended to criminate myself; and I took Advice upon that Subject; finding they did so, I conceived myself justified in refusing to answer them.

Q. Did you communicate any of the Questions which you refused to answer, to Mr. Hastings, or Major Scott, or any of his Counsel or Attornies?

A. Very possibly I might; I communicated them to every Body I had any Communication with.

The Managers for the Commons stated, that they did not wish to press this Examination further.

The Counsel for the Defendant stated, that, as the Managers for the Commons had gone into the Manner in which the Witness was examined and treated, upon the Part of the Defendant, they would go into the Manner of his Examination and Treatment, upon the Part of the Prosecutors: They wished therefore to know of the Witness,

Q. Whether he was not threatened by the Managers, if he did not answer the Questions specifically put to him; and if he refused to answer?

A. A Language of a threatening Nature was certainly used.

Q. Relate the Whole of what passed at that Time. In what Manner was you treated?

A. I was examined by different Members of the Honourable Committee, and told that I must answer the Questions: That they had a Right to put those Questions to me, and they insisted I should answer them.

Q. Do you know of any debate taking Place, in which you were turned out of the Room of the Committee, and Mr. Francis and the Clerk staid in the Room, while they were deliberating upon the Subject.

A. I was turned out of the Room repeatedly.

Q. Were Mr. Francis and the Clerk left in?

A. To the best of my Recollection, Mr. Francis was; the Clerks, I believe, were turned out.

Q. In what Manner was you treated: What particular Threats were employed, to induce you to give the Answers proposed. Have you any other Answer to give than you have given before to the Question asked, in what Manner you was treated?

A. I cannot recollect exactly the Language that was used; but I conceived it to be of a threatening Nature. I was ordered not to leave Town till I had been apprised of what their Determination was.

Q. Did you desire to be permitted to take Notes of what passed, or to see the Notes taken in the Committee?

A. I did desire to have a Copy of the Examinations.

Q. Was you permitted to have, or take, a Copy of them?

A. No.

Then the Managers for the Commons acquainted the House, that the Purpose for which they now called the Witness was, to examine him respecting the Treaty of Fyzabad.

Q. Do you recollect going to Fyzabad in the Year 1778?

A. I do; I believe it was about that Time.

Q. Do you remember what Time of the Year it was?

A. I cannot recollect that.

Q. Was it in January?

A. It was in the Beginning of the Year.

Q. Had you any Conversation with the Elder Begum at that Time?

A. I had.

Q. What was the Subject of that Communication?

A. I went for the Purpose of reconciling the Difference between her and the Nabob, which was the Subject of the Negotiation between us.

Q. Do you recollect to have received a Paper of Requests from the Begum, and to have transmitted it with your Remarks to the Council at Calcutta?

A. I have a Recollection of such a Paper, which I believe I transmitted to Calcutta.

Q. Did those Remarks contain Statements relative to Matters which you knew to be true, or which you had sufficient Reason to believe to be true?

A. My Information was drawn from the best Sources I could come at; and I did suppose that they were true.

Q. That is, the Statements in the Paper of Requests, which you afterwards communicated to the Government of Calcutta?

A. Yes.

Q. At what Time did you execute the Guarantee to the Elder Begum, or did you execute any Guarantee to her?

A. I do not recollect that I executed any Guarantee.

Q. Do you or not recollect to have affixed your Seal and Signature to a Paper concluding with these Words: " The English are Guarantees as long as the Begums shall exist?"

The Witness was shewn a Paper.

Then the Witness was asked,

Q. You have looked at that Paper: Was it executed by you; do you remember?

A. I believe it was.

The Managers for the Commons acquainted the House, that upon this Part of the Case they had no further Questions to ask the Witness.

The Counsel for the Defendant stated, that, as they understood the Managers for the Commons meant to call the Witness again, they should follow their Example, and confine themselves, for the Present, to such Questions as related to this Transaction only.

Q. Had you any Authority from the Board, or from Mr. Hastings individually, to execute that Agreement; that is, previous to your executing it?

A. I had none; no Authority: The Object of my Journey to Lucknow was, to reconcile the Difference which had unfortunately arisen between the Nabob and his Grandmother.

Q. Had you any Instructions?

A. No; I had no Instructions for executing such Treaty; but I conceived it to be a Part of my official Duty, to reconcile the Difference between the Begum and the Nabob.

Q. Your Answer has been taken thus — That you had no Instructions for executing any such Treaty; but you conceived it to be a Part of your Duty to reconcile the Difference between the Begum and the Nabob?

A. To satisfy the Begum; to induce her to stay until I could have a Conversation with the Nabob upon the Subject. The Agreement I did execute with her I considered as conditional: It was an Obligation upon me to use every Means in my Power to obtain a Treaty; and so far I engaged with her.

Q. Whether in the Treaty you guaranteed with Fyzoola Cawn, you did not in that Instance receive the previous Authority of the Board? How do you describe that Treaty; was it a Guarantee of a Treaty in 1778?

A. Yes.

Q. With Fyzoola Cawn?

A. Yes.

Q. Had you any previous Authority for executing the Treaty in 1778 with Fyzoola Cawn?

A. I do not recollect there was any Treaty executed. It was a Guarantee upon the Part of the Company; for which I had a previous Authority from the Company.

Q. Whether you succeeded in obtaining that Treaty from the Nabob, which you promised the Nabob's Grandmother, the Elder Begum, you would procure from the Nabob for her Benefit?

A. To the best of my Recollection, I did not: The Nabob refused to sanctify the Agreement I had made; to the best of my Recollection.

Q. The Treaty we are now speaking of, is that which has just been read from the Minutes: (a) That Treaty, according to the Description of it, purports to be executed by the Nabob and by you, Mr. Middleton; and I understand you to say, that you executed that Treaty: Is it so?

A. An Agreement for a Treaty.

Then a Paper was shewn to the Witness, and he was asked;

Q. Did you ever transmit this Paper to the Board; which purports to be a Treaty, or an Agreement, or whatever Name it is to bear?

A. I do not recollect that I did: If I did, it will appear.

Q. Did you ever transmit it individually to Mr. Hastings, if you did not transmit it to the Board?

A. I believe I did not.

The Managers for the Commons acquainted the House, That, to save Time, they were ready to admit, the Witness did not transmit the Treaty; and they did not ask him the Question, as it might tend to criminate himself. That he had said, "he thought it was his Duty to do what he did, and that he had executed it." The Fact was, that he executed this Treaty by Mr. Hastings's private Orders, but withheld it from the Board: Of which there would be abundant Proof, when they came to shew, that in the Year 1780, Mr. Purling transmitted Copies of this Paper, which he found at Lucknow.

The Counsel for the Defendant stated, that it having been insinuated by the Managers for the Commons, that the Agreement was executed by the express previous Authority of Mr. Hastings, they desired the Question to be put to the Witness,

Q. Whether he had, or had not, any previous Authority, either from the Board, or Mr. Hastings, from entering into that Agreement or Treaty?

A. None.

Q. The Witness has stated, it was an Agreement for a Treaty he was afterwards to procure from the Nabob and the Board; I wish him to refresh his Memory, and to say, whether that is what it purports to be, or whether it begins, "I agree upon my Return to procure, &c."

(A Paper was then produced and shewn to the Witness) and he was asked;

Q. Is that the Paper you have been speaking of?

A. No: This is not the Paper.

The Managers for the Commons were asked, where the Paper was they had shewn the Witness before.

The Managers for the Commons answered, that the Paper they shewed him before was in a printed Book; but they had now found the Company's Record, from which it would appear that it was guaranteed by the Witness, and executed by the Nabob.

Then another Paper was produced, and shewn to the Witness, who said;

This is the Treaty.

Then the Witness read the Titles as follow:

"Copy of an Agreement under the Seal and Signature of Mr. Middleton, to all the Particulars of which he engages to procure a Treaty from the Nabob Assuph ul Dowlah and after his Arrival, that he will also sign it."

(a) Vide *supra*, Page 462.

“ Copy of an Engagement under the Seal of the Nabob Asoph ul Dowlah, and under the Seal and Signature in English of Mr. Middleton.

Q. Those are the Two Papers you were speaking of: What are the Dates?

A. There are no Dates.—I have an Observation to make, if your Lordships will permit me. This Second Paper, the Translation, appears to be only a Form; whether he executed it or not is very doubtful: It seems to be a Draft of a Treaty; I believe he did not.

Q. If I understand you, you say, it seems to be a Form intended for Execution; but you don't know that it was executed?

A. I do not know that it was; I rather believe it was not.

Q. If it had been executed, should you not in Course have transmitted it to Calcutta?

A. Undoubtedly: It would have been my Duty so to have done.

Q. (*by the Managers.*) Whether you always did transmit all Papers to the Council which it was your Duty to transmit?

A. I hope your Lordships will excuse my answering that Question, as it may tend to criminate myself.

The Managers for the Commons stated, They understood the Witness, at first, to say, That he did sign the Agreement or Treaty himself; and now he says, the Treaty was not signed. They wished, therefore, that he might be asked, whether he did not now refer to the Treaty supposed to have been executed by the Nabob?

The Witness was asked;

Q. Whether you do not recollect signing your own Part of the Treaty?

A. That conditional Treaty I undoubtedly did sign, as far as I can recollect; it would not otherwise have been satisfactory to the Begum.

Q. The second Part of the Treaty, which was to go with the Treaty when executed by the Nabob; do you mean to say, you did not execute that? — The last you looked at in the Book; stated to be under your Signature and Seal?

A. It seems to me the same Paper; a Continuation of the same Paper.

Q. Did you sign that Paper, or any Part of it?

A. I did.

Q. (*from the Managers.*) We want to identify, that this second Paper is the Part the Nabob was to sign: If the Evidence is correct, he (the Witness) signed it, and not the Nabob?

The House directed the Whole of the Paper to be read.

The Witness produced Book 26, already delivered in.

Read, the following Extract, beginning at Page 254 of the same Book.

“ T R A N S L A T E .

“ Copy of an Agreement under the Seal and Signature of Mr. Middleton, to all the Particulars of which he engages to procure a Treaty from the Nabob Asoph ul Dowlah, after his Arrival; and that he will also sign it, as follows:

“ 1st. That whenever the Begum shall chuse to go to Mecca, she shall be permitted to go.

“ 2d. That when the Nabob shall arrive I (Mr. Middleton) will procure suitable Allowances to be made to the Ladies of the Zunna *, and the Children of the late Nabob Sujah ul Dowlah, and * sic in Orig. take Care that they are paid.

“ 3d. That the Festivals (Shaddee), and Marriages of the Children of the late Nabob Sujah ul Dowlah shall be at the Disposal of the Begum; whenever she thinks proper she shall marry them; and if the Begum shall go, she shall have the Authority to appoint and settle their Marriages; and whatever Money shall be necessary for these Expences shall be paid by the Nabob.

“ 4th. That the Syer of Coda Gunge and Ally Gunge shall be retained by the Begum as heretofore.

“ 5th. That I (Mr. Middleton) will, upon the Arrival of the Nabob, procure Vizier Gunge, and the Garden of Sepoydaud Khaun, or their Equivalent, for the Begum.

“ 6th. That I (Mr. Middleton) will endeavour to obtain from the Nabob the Sum of 1,15,000 Rupees, on Account of the Purchase of Metchee Bohaun, and the House of Sahabjee, and the Fort of the Goffein, with the Land and Garden, and the Barrackerry on the Banks of the Goompty, and Bazar and Garden of the House of Mahnarain, and the House of Beny Perfaud at Lucknow; all of which the Nabob Asoph al Dowlah has assumed Possession of.

“ 7th. That I will settle with the Nabob, the Allowances to be made in ready Money to the Ladies of the Zunana, and others, specified in the following Account:

To

	Per Month.
To the Ladies of the Zunna	13,650
To Meer Hussein Ally Khaun Bahadre	2,000
To Ahmed Ally Khaun	400
To the Doctors	1,000
To Mahmud Jawaid	140
To Molavie Madjeed	60
	<hr/> 17,250

" 8th. Upon the Arrival of the Nabob Asfuph ul Dowlah Bahadre, I will endeavour, with all my Influence, to settle the Monthly Allowances of Mohrum Ally Khaun and Mahmud Eltafaut Khaun, &c. the Attendants of the Begum.

" 9th. If the Begum shall go to Mecca, she shall leave her Mahls and Jaghires to the Begum, the Mother of Asfuph al Dowlah, who shall remit the Revenues thereof to the Burreç Begum. No one shall prevent her enjoying her Jaghires."

" T R A N S L A T E.

" Copy of an Engagement under the Seal of the Nabob Asfuph ul Dowlah, and under the Seal and Signature, in English, of Mr. Middleton, as follows:

" 1st. I, who am the Nabob Asfuph ul Dowlah Bahadre, do agree that the Jagheers and Gunges, and Monthly Allowance of the Officers and Servants, and of the Ladies of the Zunana, and of those specified in the Account annexed, shall be at the Disposal, and under the Management and Authority of the Begum. And no one shall oppose or prevent it. This I will punctually observe. In this Agreement Mr. Middleton and the English are engaged.

" 2d. Whenever the Begum may chuse to go to Mecca, I will not oppose it.

" 3d. Whenever the Begum shall go to Mecca, she shall leave her Lands, Jagheers, &c. either in the Care of my Mother or of me; and I will procure Bills for the Amount of their Revenues, and send them to her. No one shall oppose this.

" 4th. The Begum shall have Authority over all the Ladies of her Zunana. She shall let them remain with me, and not allow them to go any where without my Permission, or keep them with her.

" 5th. The Jagheers Khodah Gunge, Ally Gunge, &c. with the Mahl and Syher, belonging to the Begum, and made over to her, shall remain, as heretofore, in her Possession.

" Particulars of the Salaries allowed.

	Per Month.
Allowances to the Family of the Boorhaun ul Mulk	10,000
Allowance to Meer Hussein Ally Khaun	2,000
D ^r to Ahmed Ally Khaun	400
D ^r to Doctors	1,000
D ^r to Molavie Mudjeed	60
	<hr/> 13,460

" 6th. I have passed a Bond payable in Six Months, for 1,15,000, for the Price of Houses, &c. and, God willing, I will pay the Amount when it shall become due.

" 7th. I have bought Vizier Gunge, and the Garden of Sepoydaud Khaun in Allahabad, of the Begum, for 10,000 Rupees; and, God willing, I will pay the Amount in Six Months.

" 8th. The Begum has Authority over the Ladies and Attendants of the Zunana. Neither myself, nor any one else, will oppose it.

" 9th. The Begum (my Grandmother) shall have the Authority in all Festivals, and in the Marriages of the Children of the late Nabob Sujah al Dowlah, and, with the Consent of my Mother and myself, shall regulate them, excepting in the Festivals (Shâdee) the Authority is mine.

" The English are Guarantces to the above Engagements so long as the Begum shall exist."

Then the Witness was asked;

Q. What is the Manner of the Nabob executing a Treaty, or any other Instrument?

A. His Seal is affixed to it.

Q. Then, do you mean to say, there was no Seal affixed to this Treaty by the Nabob?

A. I do not know there was.

Q. Was your Name ever put to that Instrument?

A. This is a Translate; no Doubt my Name was put to the original Persian Paper.

Q. Was it put to the First or Second Paper?
A. I don't recollect.

The House observed, there was One Part which Part purported to be a Treaty executed; and the Witness had been asked, whether he enough recollected it, to say, whether his Name was put to the Bottom of that Paper.

The Managers for the Commons stated, that the Witness had said he put his Name to the First Paper, which was a Proposal to obtain a Treaty; and they wished to know, whether he put it to the Second Paper.

Before the Answer to this Question was taken down, the Witness was directed to recollect himself:

Then the Witness was asked,

Q. What did you say concerning the Second Paper?

A. All I recollect is, that the first was a Conditional Paper, in which I was engaged to procure a Treaty in that Form: And I have no Recollection of the Second Paper.

Q. What was the Paper which you said you have no Recollection of?

A. The Second Paper, which purports to be a Treaty executed by the Nabob and myself, I have no Recollection of.

The last Question and Answer were read by the Clerk:—And then the Whole of the Evidence given by the Witness this Day was read by the Clerk.

Then the following Question was put to the Witness:

Q. Whether, upon your Recollection, you mean to say, that the Second Paper was a Draught of the Treaty; or, whether it was a Part of the same Paper which you admit to have signed and executed?

Q. (*from a Lord.*) Before the Answer to that Question is taken down, I wish the Witness to be asked, whether he is apprised that there are Variations between the one Paper and the other?

A. No; I have not observed them.

Q. Let him consider it a Moment, and look at it; as it struck me that less is granted by the Second than is stipulated by the First. Have you compared the Treaties?

A. I have.

Q. Do you still continue to say, according to your Memory, that the last Treaty was not actually executed, but was intended to be a Form to be executed?

A. That was the Impression upon my Mind;—it is a great many Years ago;—but I cannot be positive whether I am right or not.

Q. In what Sense do you use the Words, that the Second Paper was a Part of the First, as there are Variations between them?

A. It seems to me to be the Form of the Treaty which the Nabob was to execute; which Treaty I engaged with the Begum to procure from the Nabob.

Q. Have you, or have you not, any Recollection how that Treaty, prepared by you, or somebody else, for the Nabob's Execution, came to be different from that which you engaged to prevail upon the Nabob to execute?

A. I have no Recollection whatever of that.

Q. (*from a Lord.*) Do I understand you to say this; That what you call the First Part of the Paper, was an Engagement for a Treaty; and that the Second Part of the Paper was added to that First Part, as it were a Form of that Treaty to be executed: If that is what you mean to say, I then wish to know, whether, if it shall appear by the Book that there is a Variation in the Substance and Sense of the Two, you mean to say, the First was added to the Second with that View? Was it added upon the same Paper, or in what manner?

A. Upon the same Paper, as far as I recollect.

Q. If there were substantial Variations, do you suppose that they were added?

A. I suppose it to have been the Form of the Treaty at the Foot of the Agreement; I cannot account for the Variations.

Q. Do you think now, it could be a Draft of the Agreement which you had undertaken to procure from the Nabob, considering there is so capital a Variation, as a flat Refusal to that which you agree to obtain: Do you know any Reason for that Variation?

A. No; I do not.

Q. Explain how a Treaty, with such a Variation as that, could be deemed the Treaty you had engaged to procure the Nabob to execute?

A. The First Part I recollect perfectly well, the Conditional Part: I have no Recollection whatever of the Second Part; and I take it for granted, it was the Form of the Treaty that was to be executed by the Nabob.

Q. Have you any Recollection of the Distance of Time between your executing the First, and your drawing out the Second; between the subsequent Paper being added to the former Paper?

A. I cannot speak to that: I suppose it was upon that Paper at the Time the Conditional Agreement was delivered to the Begum; at the Time I delivered that Conditional Agreement to her.

Q. To the Begum?

A. Yes.

Q. Do you suppose the Treaty was upon the Conditional Agreement you delivered to the Begum?

A. Yes; I should suppose it was.

Q. Tell me if I understand you right. The Question was; Whether there was any Distance of Time, which you can recollect, between the subsequent Paper, the Treaty with the Nabob, being added to the former Paper, and the Execution of that former Paper. I understand you to say, you suppose it was upon the Paper at the Time the Conditional Agreement was delivered to the Begum?

A. Yes.

Q. (*from a Lord.*) I understand you to have said, that the express Purpose, or a considerable Part of the Motive, for which you was sent to Fyzabad, was to settle the Difference between the Nabob and the Begum?

A. Yes.

Q. From whom had you Instructions?

A. I had no Instructions.

Q. By whom was you sent?

A. I went of my own Accord; and my Reason for doing so was, that the Begum had announced her Intention of setting out from Delhi, to quit the Nabob's Dominions altogether. I went to Lucknow myself; the Nabob was absent upon a Hunting Party at a considerable Distance from the Capital, and I did conceive there was Time enough to apply to him so as to prevent the Begum from setting out.

Q. Did you state to the Begum that that was the Object of your Journey to Fyzabad?

A. No doubt I did; for it was the only Object of my Journey to Fyzabad.

Q. Did you state to the Begum that this was a Journey undertaken of your own Accord, without any particular Instructions from the Government at Calcutta?

A. I cannot venture to say that I did; but it is most probable that I did.

Q. I understand you to say, that the Begum would not have been satisfied unless your Signature had been put to this Treaty; to the Promise to her?

A. I conceive she would not.

Q. Do you suppose her Satisfaction would have been compleat, if she had thought you went up merely as an Individual, or if she had not thought you were invested with the Powers of the English Government?

A. I conceive it would at least have satisfied her for a Time. My Agreement with her was only, that I would use my Influence to obtain Terms with the Nabob; if it was ineffectual, she still was at Liberty to have left the Nabob's Country, as she intended before.

Q. You have not answered my Question. My Question was not, whether she would have been satisfied with you as Mr. Middleton; but whether she would have been satisfied if she had not thought you acted under the Authority, and as Agent of the English Government?

A. I do not apprehend she could have considered me as acting by the Authority of the Government.

Q. Whether you considered the Paper as one Paper or two Papers. Were they transmitted to Calcutta. Was there any Guarantee returned from you to the Governor and Council at Calcutta?

A. No, there was not.

Then the Managers for the Commons desired a Letter of the 18th of March 1778, from Mr. Hastings to the Bhow Begum, might be read.

The same was read from Book 90, intituled, " Bengal Public Persian Correspondence," already delivered in; beginning at Page 16 of the same Book.

" To

" To the Bhow Begum."

" Written 18th March 1778.

" I have been favoured with your Letter (Vide N^o 16th.) and understand the Contents. I have also heard a particular Account of your Situation from your Vackeel, Akbur Ally Khan. It gives me great Concern to learn that you have experienced so much Trouble and Molestation from the evil Designs of bad Men. I formerly wrote to Mr. Middleton on this Subject, and have now repeated my Directions to him, that he will pay a particular Attention to all your Commands, and prevent, to the utmost of his Power, either of himself, or by Application to the Nabob, any Trouble being given you in future; and I have no Doubt but you will find that Gentleman ever ready to promote your Interest and Happiness.

* Sic in Orig.
—Reference
to the Letter
alluded to.

" Your Highness is probably unacquainted with the Difficulties and Dangers necessarily attendant on so long a Voyage as you propose to make, particularly to Women. You, being totally unexperienced in such Matters, cannot possibly imagine even a small Part of them: Should you, notwithstanding, still continue determined, and the Nabob consents thereto, on which Subject I have likewise directed Mr. Middleton to apply to him, I beg you will inform me some Months before you propose to set off, that I may procure every possible Accommodation for you. Your Vackeel, Akbur Ally Khan now returns to you, and will deliver you this Letter. For the Rest, knowing me ever anxious to hear of your Welfare, let me frequently have that Pleasure.

Then the Witness was asked,

Q. Do you recollect such a Letter as that?

A. The Letter is to the Begum;—I never recollect having seen a Copy or Transcript of it, or hearing of it till now.

Q. Do you now suppose it probable, that if Mr. Hastings had not given you any such Instructions, that Letter you have heard read would have been written?

A. I should suppose not; the Letter seems to refer merely to the Concerns of the Bow Begum.

Q. Having said, that the Form of the Treaty was annexed to it at the Time your Engagement was given to the Begum, do you think, upon your Recollection, it was probable you should have given her an Engagement to prevail upon the Nabob to make a Treaty with her upon certain Terms, and have annexed to that Agreement a Treaty contrary to those Terms contained in the First Engagement?

A. I have no other Recollection upon the Subject than what I have communicated to your Lordships; and I hope for your Lordships Indulgence, considering it is full Ten Years since that Transaction happened, and I never have refreshed my Memory by perusing any Paper upon the Subject since.

Q. To be sure it is a great Distance of Time: But, having now seen the Papers, do you think you could have made an Agreement to obtain a Treaty in her Favour from the Nabob, that was essentially different from that Treaty proposed to be executed by the Nabob: Whether you now think it probable, that could have been the Treaty which you shewed her, as an Execution of the Promise you then made her?

No Answer.

Q. Have you looked over those Papers?

A. I have.

Q. Do you think it probable, under all those Circumstances, you should have delivered that Paper to the Begum, unless it had been actually signed by the Nabob?

A. This Letter is from the Bow Begum, it seems to refer intirely to the Treaty between her and her Son, and to have no Reference that I perceive to the Elder Begum.

Q. The Question is not upon the Interpretation of the Letter shewn you, but whether upon the Observations you have had an Opportunity to make upon the Paper, you would have carried that Paper to the Begum, if it had not been previously executed by the Nabob?

A. I cannot account for the Difference, considering it as the Draft of a Treaty to be executed; I cannot account for the Difference between that and the Articles of my Conditions with the Begums.

Q. The Question is, Do you or do you not think it probable that that Treaty must have been executed before you delivered it to the Begum?

A. I cannot give any other Explanation of the Matter than I have already submitted to your Lordships.

Q. Whether you have attended to the Circumstance of the Nabob's saying, I have given my Bond for the Money, in the Second Paper?

A. I have, and see it is so stated.

Q. When

Q. When you gave Minutes to Major Scott for Mr. Hastings' Defence, did you bring this Subject to your Recollection?

A. I did not; I do not recollect there is any Thing upon the Subject in the Memorandums I gave to Major Scott.

The Managers for the Commons said, They would not press this Matter further, but proceeded to ask a few Questions relative to the Authority which the Witness disclaimed having received from the Board.—That they did not think it necessary to establish that he had Authority from the Board; but they would ask, whether the Witness did not, in a Letter of the 27th of January 1778, written by him to the Board, from Fyzabad, at the Time he was Resident there, express himself thus:

The following Passage was read to the Witness:

“ I apprehend there will be no Impropriety in my becoming a Surety for their Performance; in which Case the direct Interposition of the Honourable Board will not be necessary: But if, on the contrary, he should refuse his Concurrence, I beg Leave, with humble Submission, to suggest the Necessity of an immediate Exertion of their Influence to secure to the Begum whatever they may be pleased to consider her undisputed Rights; when I doubt not I shall be able to prevail upon her to relinquish her Design of a Pilgrimage to Korbulla altogether, though at present she declares her Intention of prosecuting it at the Expiration of Two or Three Months, even admitting her Requisitions are complied with.”

The the Witness was asked,

Q. Do you remember any Thing of that Sort?

A. I cannot remember the particular Passage. I certainly wrote Letters from Fyzabad at the Time: I wish to refer to them.

Q. Whether you ever received any Letter from Mr. Hastings, or the Council, prohibiting your becoming Guarantee?

A. I did not; if I did receive any they certainly will appear upon the Minutes.

Q. (*by Counsel.*) Whether you recollect being referred to by the Honourable Committee of Managers to those Papers, to refresh your Memory; and if you were so referred to those Papers, did you look at them?

A. I do not remember being referred by the Honourable Managers to those Papers, nor had I any Means of referring to them, as all my Papers were laid before the House of Commons, where they now are.

Q. Whether you know of any Instance of a Treaty being actually executed without bearing a Date, during the Time you were in India?

A. I cannot say that I remember any Instance of that Sort.

Q. (*by the Managers.*) The Witness has been asked, whether he recollects any Instance of a Treaty signed without a Date; I would ask, Whether the Engagement to procure the Treaty which he signed, has a Date to it?

A. It does not appear to have any Date.

Q. Whether you do not remember being examined to this Treaty of 1778, at the India House, when the Committee appointed to draw up the Articles of Impeachment, sat there?

A. I do not recollect being particularly examined to this Treaty.

Q. Do you remember being examined at all at that Time at the India House?

A. I was examined at the India House certainly. I recollect that.

Q. Do you not recollect particular Passages of your Letters and Correspondence at this Time; Passages of the Treaty, and the concluding Words, “the English are Guarantees to the above Engagement as long as the Begum shall exist,” being read to you at the India House?

A. I do not recollect any particular Examination upon the Subject.

Q. Do you not particularly recollect Mr. Anstruther examining you to this Subject at the India House.

A. I do not recollect by whom I was examined?

Q. Do you remember being examined by any Body as to the Subject?

A. I do not.

Q. Whether you do not recollect my reading to you the Passage I have just stated, in the Secret Committee appointed to conduct the Impeachment against Warren Hastings?

A. I do recollect being examined by Mr. Adam upon the Subject in the Committee in the House of Commons. I cannot remember the particular Questions; but I referred to my Correspondence in the Possession of the Managers.

Q. (*from a Lord.*) Do you recollect the Begum complaining of the Variations, at the Time you presented the Engagement for the Treaty to her?

A. I have not a clear Recollection of the Matter at so great a Distance of Time.

Q. At what Time was this Transaction between you and the Begum?

A. In the Year 1778.

Q. (*from a Lord.*) Whether you transmitted all the Papers to Calcutta?

A. I beg not to answer that Question.

Q. Whether you ever had any, and what, and whose Directions, not to transmit any, and what Papers to Calcutta?

A. None.

Q. I mean to the Government at Calcutta?

A. None.

Q. (*from a Lord.*) You say, you entered into an Engagement to procure a Treaty with the Nabob upon certain Conditions; I wish to ask, since your Recollection is not perfect as to Particulars, whether it does not serve you thus far, to recollect, whether that Negotiation with the Nabob succeeded or failed?

A. As far as my Recollection serves me, I understand that it failed; but I speak upon very imperfect Recollection of the Transaction.

Q. (*from a Lord.*) Do exert your Recollection to the utmost before this Evidence is closed, and consider whether you, who were employed in many important Negotiations, can have any Negotiation of great Consequence so obliterated from your Memory, as not to know what the Event of it was. I don't ask as to the Particulars of it; but whether it did succeed wholly, or in Part, or totally failed. Whether it is possible that the Event of such a Negotiation as this should escape your Memory?

A. It is possible; for it really does escape my Memory.

Q. Do you remember what Steps you took, if any, in Consequence of the Agreement you entered into with the Begum, towards getting the Treaty executed by the Nabob?

A. I take it for granted, when I met with the Nabob, I used every Means in my Power to procure the Treaty from him in the Terms of the conditional Agreement I had given to the Begum.

Q. Whether you transmitted at any Time, in any Shape, and in any Manner, any Account to Calcutta, either to the Governor General, or to the Governor General and Council, of the Negotiation you had entered into, and which you conceived to be a Part of your official Duty to enter into?

A. To the best of my Recollection I did. I wrote to the Governor and Council upon it.

Q. Having stated, that you did not, to the best of your Recollection, transmit this Treaty, either the one which you remember to have signed, or the other which you do not recollect to have been executed; whether any, or what Dissatisfaction upon the Part of the Government, was at any Time conveyed to you for such Neglect of Duty, when that Neglect became apparent from the Communication made subsequently by Mr. Puring? Whether the Government did at any Time express Dissatisfaction to you for not having made this Communication?

A. No; I do not recollect they did.

Then the House adjourned to the Chamber of Parliament.

Die Jovis, 24^o Aprilis 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons they might proceed with their Evidence.

The Managers for the Commons informed the House, they would now proceed with further Evidence of the Guarantee to the Princesses of Oude, and of their Friendship with the East India Company, contained in the Correspondence between Mr. Purling, the Resident at the Court of Oude, and the Government at Calcutta.

Then Mr. ROBERT HUDSON was again called in; and produced Book 26, intituled, "Bengal Secret Council, 29th February to 24th July 1780."

Read, the following Extract of Appendix to a Consultation of the 22d June 1780, beginning at Page 529 of the same Book.

"Fort William, the 22d of June 1780.

"At a Council; Present,

The Honourable Warren Hastings, Governor General, President.

Philip Francis, } Esquires.
Edward Wheler, }

Secret Dept.
Thursday.

Lieutenant General Sir Eyre Coote absent on a Visit to the different Stations of the Army.

"TRANSLATE.

"Letter from the Nabob Asoph ul Dowlah to Mr. C. Purling.

"I have received your Letter.—You write, that you informed the Council, in the Month of Maug, that I had not Sources in my Country, and my Expences were very great; and that you have received an Answer from the Council, that whatever Balance was due at the End of the Year, I should pay; and that the Sum 1,06,62,000 Rupees, which were granted as Assets, should suffer no Diminution; nor will the Gentlemen of the Council allow One Rupee; but that, agreeable to the Account Particulars, the Balance of 1,36,62,188 : 12 must be assigned.

"I have in no Respect failed in my Compliance with the Pleasure of the Council, or my Friendship for the Company, as far as I have had Ability. And I have acquainted you very fully with the State of my Country, and the Sources of the Revenue: And I have even put a Stop to the Expences of my Table, and the Animals which I ought to keep; and the Jagheers of my Servants and Attendants; and there are Assets of 98,98,375. After this, I wrote the Jagheers of my Grandmother and my Mother, and of the Nabob Sallar Jung, and of my Family, and the Sons of my Uncle Mirza Alla Khan, which were granted them for their Livelihood; and they amounted to the Sum of 7,63,625 Rupees. By this Means has the Business been done. But they all possess Engagements. And I have made over in Assignment the Expences of my Table, which I have put a Stop to with this View, that the Gentlemen of the Council, understanding my distressed Situation, would shew me their Friendship. I at first opposed the assigning the Jagheers of my Grandmother and Mother, and my Uncle. Now that the Council have, upon such a Representation of my Distress, written, that there shall not be less Assignments than 1,06,62,000 Rupees, and that the Balance of 1,36,62,188 must be given, I am acquainted with the Particulars of the 1,36,62,188. If the Gentlemen of the Council, or you, Sir, will inform yourselves from the Accounts, you will find, it is not to be obtained. Whatever, in Justice, can be obtained from the Accounts, have been granted; but at this Time Assignments are demanded of me. The Business of the World is easy, and passes away; and the Gentlemen of the Council should, in every Thing that is just, be my Guardians and my Friends. I do not put my Life in Competition with Friendship. Whatever Assets were in the Country, with even my Table, my Animals, the Jagheers of my Servants and Attendants, are granted in Assignments, amounting to 98,98,375 Rupees: Besides these, the Jagheers of my Grandmother, Mother, and my Uncles, the Nabobs Mirza Allee and Sallar Jung, which were granted them for their Maintenance, are at your Disposal. If the Council have directed you to attach them, do it. In the Country

Country no further Sources remain, and I have no Means, for I have not a Subsistence. Alas! I have Elephants, Horses, and Hounds, if they will serve the Purpose of my Friends, they are ready for them; the Country and the Aumils are at Hand; wherever Assets can be found, take them—I do not oppose it—In this Situation I am in Want of a daily Subsistence—I feed upon the Hope and Expectation of Tranquillity—Upon this the Council's Order is arrived.—Whatever proceeds from Friendship is good—my Situation is no Way concealed—How long shall I dwell upon my Misfortunes!—I have written sufficient.”

Read, from the same Book, Page 67, Extract of a Consultation of the 3d of April 1780.

“ Fort William, 3d April 1780.

“ At a Council; Present,
“ The Honourable Warren Hastings, Governor General, President;
Philip Francis, } Esquires.
Edward Wheler, }

“ To Mr. Purling.

“ Sir,
“ With respect to the Jagheers, we are not competent to judge of the Propriety of retaining or yielding them back to their Proprietors, not knowing who they are; and we desire that you will afford us every Information in your Power relative to this Point (a).

“ We are, &c.

[Signed at the End of the Consultation]

Warren Hastings,
Philip Francis,
Edward Wheler.”

Read, from Page 490 of the same Book, the following Extract of a Consultation of the 22d June 1780.

“ Fort William, the 22d June 1780.

“ At a Council; Present,
“ The Honourable Warren Hastings, Governor General, President;
Philip Francis, } Esquires.
Edward Wheler, }

“ Read the following Letter from the Resident at the Vizier's Court,

§ (“ Honourable Sir, and Gentlemen,
“ I have been duly honoured with your Letter of the 3d instant, requiring an additional Grant of 30,00,18,812 Rupees, in Tunkaws, from his Excellency the Vizier, and declaring your Disapproval of the Remission of any Part of the Assignments already granted; on the contrary, that if any of the Jagheers were restored, other Assignments of equal Value and Security are to be taken in their Stead. Likewise desiring every Information relative to the Jagheers.”) §
✍ [“ The Account, Particulars of the Jagheers, I have the Honour to enclose, with such Remarks and Papers annexed to them, as, I hope, will prove fully explanatory on the Points you require Information on. I have nothing to add, but that no One has advanced a Claim to an Exemption, but those observed upon in the Account. The Nabob certainly exerts an absolute Authority, as to the continuing or refusing of every private Jagheer.]
§ (“ Immediately after the Arrival of the Board's abovementioned Orders, I addressed his Excellency in the enclosed Letter marked A, which is a Translate, and received an Answer, of which I forward Copy of the Persian and Translate B. In consequence of his Excellency's Orders, the enclosed Abstract of the whole Amount of his Finances and Disbursements was prepared, and would have been forwarded to you long ere this; but the Time it has unavoidably taken to arrange it for your Inspection will, I hope, prove a satisfactory Apology for the Delay; such Remarks as are explanatory of the Account I have annexed to it.
“ It is hardly necessary to observe, that the Deductions allowed on Account of the Drought are the chief Cause of the Nabob's present Distress, as will be plainly seen by the Second Head of the Abstract.
“ The Board will perceive in my Letter to his Excellency the Vizier, that I have desired he will prohibit the several Aumils from paying any further Sums to the private Tuncawdars, whose Claims, according to the Abstract, amount to R' 26,04,671 : 9. This Sum, which I regarded as the only Source capable of furnishing new Assignments, includes many of the Nabob's public Establishments, some Tuncaws granted for the Pay of his private Debts, and others for the Arrears due to his Servants. The greater Part of this Sum has been paid, and some Part will

“ unavoidably remain in Balance ; nor do I think, that in case a Stop was put to the further Receipts of these Tuncawdars, there would be obtained Three Lacks of Rupees.—In short, as I believe this Account contains a true Representation of the State of the Nabob's Finances ; and as his private Expences are much circumscribed, in comparison with former Periods, it does not appear to me possible that any further Expectations can be answered in the present Year.

“ Having given my Opinion upon the Honourable Board's Requisition for further Tunkaws, as far as I could judge from the Abstract, and the best Information I could obtain, I beg your Indulgence while I lay before you the following Observations.

“ Under the Head of Mootina, or Expences of Troops stationed with the Aumils for the Purpose of enforcing the Payment of the Revenues, there appears a Sum of 53 Lacks of Rupees. Tho' from the natural State of this Country, where the Zemindars take immediate Advantage of every Relaxation in the Government, and continually avail themselves of the Removal of the Forces from their Districts, by raising Troops of their own, building Forts, and withholding their Rents, such a Charge is always necessary, yet the Amount of it here seems very exorbitant ; and the Purpose for which these Sums are allowed appears not to be answered, because whenever the Aumils are pressed, they have always Recourse to the Honourable Company's Battalions. Some Regulations might be made to put these Forces on a respectable Footing, answer all the Ends of this Government, and save a considerable Sum of Money. This, I imagine, might be accomplished in the ensuing Year ; the present is too far advanced to admit of a new Regulation.

“ As the First Object must ever be, to secure sufficient Sums in the Beginning to answer the Exigencies of the whole Year, it appears necessary, that the Estimate, having been submitted to the Honourable Board, should be returned with such a Letter through him to his Excellency, as to shew him that the Resident has no Authority to dispense with any Part of it, and that he acts in such Demands agreeable to their Injunctions. This Letter should at least be written a Month before the Conclusion of the old Year, that private Tunkawdars may be totally excluded till the Honourable Company's Claims are satisfied. This has occurred to me from the Conviction, which the Nabob in all his Conversations appeared to have, that the Honourable Board would, upon his Representation, discontinue the Establishments paid by Mr. Wombwell. In this Idea, his Excellency would not hear of another Demand, until he should receive the Honourable Board's Answer to his Refusal. The Change in the Resident was a Delay of a Month and a Half in obtaining the additional Tuncaws. The Reference afterwards to your Honourable Board, waiting the Reply, and then settling the Agreements and Accounts with the Aumils, lost full Five Months of the Year. The Kerreef Harvest, small as it was, owing to the Drought, was lost ; and the realizing of the Company's Tuncaws upon a Collection of Eight Months depended on a Six Months Source, the Rubbee Harvest. Another peculiar though unavoidable Circumstance has occurred to oppose my standing in so fair a Light in my Collections as my Predecessors, and that is, that my Predecessors were allowed to keep their Accounts till the Collections of the Month were closed, which did not happen till a Month after : They did not close their Collections and send away their Accounts at the End of the Month ; this makes their Collections in the Accounts appear uniform, while mine, under the late Regulation, are sent away at the End of each Month, and the Kists having, from invariable Custom, never been paid till near the End of the ensuing, my Accounts must always have a Balance of a whole Kist.

“ I have the Honour to submit to your Honourable Board an Estimate of the Receipts and Disbursements of my Treasury for the past Seven Months of the Year. The Troops are all paid up to the present Time, and I calculate, that the Amount required for the necessary Disbursements of the Remainder of the Year, exclusive of all Contingencies, will be about 30 Lacks of Rupees.—This is about the Sum I expect will be realized in the Course of the abovementioned Period, after deducting the Batta between Fyzabad 16 Sun Sicca Rupees and the several Species which are collected from the Country. The Estimate of 30 Lacks I cannot declare to be just, because the Paymasters have not furnished me with their Accounts Current with the Military Paymaster General, to the present Period, which alone could serve me in my Calculation. The Want of these Accounts prevents my keeping my own with the Regularity I could wish.

“ Lucknow,
30th April 1780.

I have the Honour, &c. &c.

(Signed) C. Purling.”

“ Ordered, That the Inclosures in the above Letter be entered after the Consultation (a).”

(a) Vide Appendix, N° XXVII.

EXTRACT OF BENGAL SECRET CONSULTATIONS, the 22d June 1780.
Enclosure in a Letter from Mr. Purling, Resident at the Court of the Vizier, dated 22d May 1780.

ACCOUNT Particulars of the Jagheers in the Vizier's Dominions, exclusive of the Maulguzary Lands.

Names of the Places granted as Jagheers.		Names of the Jagheers.		Time when granted.	Amount Jummah of each Place.	Jummah of the Grant of each Jagheer.	Jagheers refused and concluded in the Caboolats of the Amils.	Amount of Jagheers assigned by the Nabob for the Honourable Company's Claims.	Amount of Jagheers the Jagheers who have not paid their Bouns and Kuttounds.	Balance or Amount of Jagheers, the Jagheers who have not paid their Bouns and Kuttounds.	REMARKS.
Deveey Jagheerabad	—	Nabob Salar Jung, and Nabob Mirza Ally Cawn	—	Old Grant	72,212 10	—	—	—	—	—	
Ruffoolabad	—	Ditto	—	Ditto	64,284	—	—	—	—	—	
Beejnor	—	Ditto	—	Ditto	1,20,753	—	—	—	—	—	
Sehdowr	—	Ditto	—	Ditto	1,05,000	—	—	—	—	—	
Jullolur Hafimun	—	Ditto	—	Ditto	1,05,000	—	—	—	—	—	
Summupore	—	Ditto	—	Ditto	20,032	—	—	—	—	—	
Futypore, Hufsoowah, &c.	—	Ditto	—	Ditto	4,00,000	—	—	—	—	—	
of Chacklah Coorah	—	Ditto	—	Ditto	40,000	—	—	—	—	—	
Dehaud Syheeb	—	Ditto	—	Ditto	887	—	—	—	—	—	
Suftrah	—	Ditto	—	Ditto	6,132	—	—	—	—	—	
Moharaze Nuggur	—	Ditto	—	Ditto	1,201	—	—	—	—	—	
Bullia Govind	—	Ditto	—	Ditto	1,700	—	—	—	—	—	
Toffer Orangabad	—	Ditto	—	Ditto	9,37,251 10	—	—	—	—	—	
Deduct what has been attached by the present Nabob Afzoph ul Dowla in 1786											
Mugglafee	—	Ahmed Ally Cawn, and Ally Cooley Cawn	—	in 1782	24,225	—	—	3,43,625 13	3,43,625 13	—	
Jullot Gunge	—	Ditto	—	1783	23,992	—	—	—	—	—	
Tuppeh Cumyaur	—	Ditto	—	Ditto	12,000	—	—	—	—	—	
Tuppeh Mugglafee	—	Ditto	—	Ditto	3,743	—	—	31,980	31,980	—	
Ally Gunge	—	Nabob Sujah ul Dowla's Mother	—	Old Grant	90,000	—	—	—	—	—	
Dunghoufe	—	Ditto	—	Ditto	92,000	—	—	—	—	—	
Rehinnagur	—	Ditto	—	Ditto	3,822	—	—	—	—	—	
Dehand of Jaffer Jaur Cawn's Jagheer	—	Ditto	—	Ditto	5,400	—	—	95,611	95,611	—	
Joyyes, &c.	—	Nabob Afzoph ul Dowla's Mother	—	Ditto	4,47,200	—	—	—	—	—	
Tundah	—	Ditto	—	Ditto	47,616	—	—	—	—	—	
Schudgur	—	Ditto	—	Ditto	14,000	—	—	—	—	—	
Umail Gunge	—	Ditto	—	Ditto	10,000	—	—	—	—	—	
Benny Gunge	—	Ditto	—	Ditto	6,000	—	—	—	—	—	
Nabob Gunge and Syher	—	Ditto	—	Ditto	60,000	—	—	—	—	—	
					5,24,916	—	—	2,92,408	2,92,408	—	
					15,27,242 10	—	—	1,63,624 13	1,63,624 13	—	

R E M A R K S.

Names of the Places granted as Jagheers.	Names of the Jagheers.	Time when granted.	Amount of each Place.	Summa of the Grant of each Jagheerdar.	Jagheers resumed, and included in the Cawils of the Aumils.	Amount of Jagheers assigned by the Nabob for the Honourable Company's Claims.	Amount of Jagheers of the Jagheers which have not paid their Bonds and Kif-Bunds.	Balance, or Amount of Jagheers, the Jagheers of which have not paid their Bonds and Kif-Bunds.
Deband Inhunna	Brought forward	—	—	15,27,249 10 —	—	7,63,624 13 —	7,63,624 13 —	—
Ditto	Khahun Cawn, and Hungun Cawn	Old Grant in 1184	1,700 2 —	—	—	—	—	—
Kawrid Puchrumrot	Ditto	in 1184	11,000 — —	—	—	—	—	—
Mujong	Ditto	in 1183	14,055 — —	—	—	—	—	—
Dehaud Bareilly	Ditto	Ditto	7,000 — —	—	—	—	—	—
Discurpore Sunha	Ditto	Ditto	4,993 — —	—	—	—	—	—
Rampore, &c.	Ditto	in 1184	93 12 6	—	—	—	—	—
	Ditto	Ditto	14,437 — —	—	—	—	—	—
Dehaud Kaucory	Brought forward	—	—	54,138 14 6	—	36,862 5 6	36,862 5 6	—
Burpore	Mirza Husein Reza Cawn	Old Grant	700 — —	—	—	—	—	—
Dehaud Tootch Hurry	Ditto	in 1184	19,992 13 6	—	—	—	—	—
Dehaud Manickpore	Ditto	Ditto	4,007 — —	—	—	—	—	—
Dehaud Mohaun	Iffoe Cawn Kandaree	Old Grant in 1183	— — —	24,699 13 6	—	16,166 9 —	16,166 9 —	—
Jummo	Qauzeh Nehama Tulia	Ditto	— — —	4,015 — —	—	2,051 5 6	2,051 5 6	—
Pertaub Gunge	Rajah Bowanny Sing	in 1184	— — —	4,031 13 —	—	2,000 — —	2,000 — —	—
Mohun Gudge Feel Puchrumrot	Rajah Micoo Sing	in 1187	13,202 — —	30,000 — —	—	20,000 — —	20,000 — —	—
Toffee, an Increase found by the Aumil	Ditto	Ditto	14,000 — —	—	—	—	—	—
Movlara	Ditto	Ditto	2,138 5 6	—	—	—	—	—
Hurdohce Cutwarra	Ditto	Ditto	48,450 — —	77,790 5 6	—	51,091 8 —	51,091 8 —	—
Hurdohiz	Rajah Mooree Sing	in 1183	— — —	30,000 — —	—	20,000 — —	20,000 — —	—
Buffory	Rajah Nawaz Sing	Ditto	— — —	30,000 — —	—	20,000 — —	20,000 — —	—
Surazepore	Rajah Suba Sing	Ditto	— — —	30,000 — —	—	20,000 — —	20,000 — —	—
Bedlong	Rajah Ullah Sing	Ditto	— — —	30,000 — —	—	20,000 — —	20,000 — —	—
Chucklah Ittaw Dehand	Rajah Nuddee Sing	Ditto	— — —	30,000 — —	—	20,000 — —	20,000 — —	—
Dehand Mona	Husein Attah Cawn	Ditto	— — —	5,608 — —	—	3,778 11 —	3,778 11 —	—
Corah	Roy Hoolaus Roy	in 1184	9,000 — —	—	—	—	—	—
	Ditto	Ditto	3,500 — —	12,500 — —	—	8,333 5 —	8,333 5 —	—
Dehand Lucknow	Moonsee Bauffid	in 1183	— — —	400 — —	—	265 11 —	265 11 —	—
Kheway	Khannuch Allum	Old Grant in 1183	72,000 — —	—	—	—	—	—
Allahabad	Ditto	Ditto	3,000 — —	—	—	—	—	—
Anarwah	Aukbaul ul Dowlah	in 1184	— — —	75,000 — —	—	50,000 — —	50,000 — —	—
Bafmugger	Bunde Ally Cawn	Old Grant	10,000 — —	1,00,000 — —	—	66,666 11 —	66,666 11 —	—
Ametty	Ditto	Ditto	3,000 — —	13,000 — —	—	—	—	—
	Carried forward	—	—	20,78,493 8 0	—	11,21,154 15 —	7,63,624 13 —	3,57,527 2 —

Mirza Husein Reza Khan.—This and all the following Jagheers included under the last Head, as having paid their Bonds and Kif-Bunds, have been taxed Two Thirds of the Amount Summa of their Jagheers.

Bunde Ally Khan, being a Relation of the Nabob, he would have him exempted from the Tax—He is therefore omitted.
Mahabub Ally Khan.—The District in which his Jagheer's Lands were included, has been thrown into much Confusion by the Mismanagement of New Aumils, whom his Excellency dis-

R E M A R K S.									
Names of the Places granted as Jagheers.	Names of the Jagheerdars.	Time when granted.	Amount of each Place.	Summa of the Grant of each Jagheerdar.	Jagheers returned, included in the Cabuleats of the Aumils.	Amount of Jagheers assigned by the Nabob for the Honourable Company's Claims.	Amount of Jagheers which have not fallen their Bona and Kul-tounds.	Balance or Amount of Jagheers, the Jagheers of which have paid their Bonds and Kul-tounds.	
Rassulpore Goffe	Brought forward	Old Grant in 1183	—	20,78,493 8 6	—	11,21,151 15	7,63,624 13	3,57,527 2	to appoint in the Beginning of this Year, and afterwards removed, upon those Lands being made over in Assignment to the Honourable Company in the Month of Maug; and the New Aumil, aware of the Difficulties he had to encounter, refused to take upon him the Responsibility of the Collections for the remaining 8 Months of the Year, unless this Jagheer was included in his Cabuleat, as well as two others mentioned hereafter.
Dehand Allahabad	Mahaboo Ally Cawn	in 1183	60,000	97,000	97,000	1,422 11	—	1,422 11	Rajah Govindram, the Nabob's Vakeel in Calcutta.—The Nabob would not include this among the other taxed Jagheers.—It is therefore exempt.
Dehand Barry	Mahmud Ally Commandant	Ditto	—	2,134	—	8,000	—	8,000	
Dehand Allahabad	Koofe Muzzer Ally Cawn	Ditto	—	12,000	—	6,666 11	—	6,666 11	
Mirzapore	Meer Suddeek	Ditto	—	10,000	—	—	—	—	
	Rajah Govindram	Ditto	—	17,000	—	—	—	—	
Dehand Lucknow	Mahmud Wuzzee Coja	Ditto	—	600	—	400	—	400	Nabob Mirza Nudjeeff Khaun.—The Nabob would not tax his Jagheers.
Muzaffabad	Nudjeeff Cawn Badre	Old Grant	—	14,500	—	—	—	—	
Dehand Ackbulpore	Ekmut Houssein Cawn	Ditto	—	6,000	—	4,000	—	4,000	
Dehand Nugram	Rajah Teppoor Chand	in 1183	—	10,000	—	6,666 11	—	6,666 11	
Dehand Angetty	Cauzee Mahmud Tuckey	Ditto	1,128 12	—	—	—	—	—	
Dehand Nugram	Ditto	Ditto	871	—	—	—	—	—	
Dehand Lucknow	Ditto	in 1184	1,500	—	—	—	—	—	
Mugglafee	Ditto	Ditto	1,847 3	—	—	—	—	—	
Dehand Malliabad, and Mohann	Umber Ally Cawn	in 1183	—	5,346 15	—	3,564 10	—	3,564 10	
Dehand Wazze	Nabob Immaum Udeen Cawn	in 1184	—	30,000	—	20,000	—	20,000	
Dehand Ruffulpore Goffe	Mahmud Fauzale	in 1184	—	12,000	—	8,000	—	8,000	
Dehand Cuckcory	Mahmud Shuffee Ajam	Old Grant	—	400	—	266 11	—	266 11	
Kootia Gooneer	Alma's Ally Cawn	Ditto	—	500	—	333 6	—	333 6	
Dehand Cuckcory	Syfulla Bearer	in 1183	—	30,000	—	20,000	—	20,000	
Dehand Mohann	Ally Ekbur Beg	in 1183	1,500	6,000	—	4,000	—	4,000	
Dehand Cuckcory	Ditto	Ditto	1,130	—	—	—	—	—	
Dehand Sandilla	Ditto	in 1187	6,000	—	—	—	—	—	
Dehand Roodowlee	Ram Tulla	Old Grant	—	8,650	—	5,753 6	—	5,753 6	
Dehand Hurdoohee	Madaur Bux Churkhaet	in 1183	—	1,808 15	—	1,206	—	1,206	
Dehand Mohann	Sufdur Ally Cawn	in 1184	—	314	—	—	—	—	
Biffolee	Fuyzoolah Cawn Rohilla	Old Grant	—	3,451	—	2,300 10	—	2,300 10	Madaur Bux Churkhaet.—He was exempted on Account of his Poverty.
			—	15,00,000	—	—	—	—	
Dehand Futypore	Mahmud Buffleer Cawn	in 1185	—	1,00,000	—	66,666 11	—	66,666 11	Nabob Fyzoollah Khaun.—was not taxed because of his Treaty with his Excellency the Viceroy, in which the Honourable Company are Guarantess.
Dehand Mohona	Rajah Bufflein Sing, Moonfhee	in 1183	—	10,000	—	6,666 11	—	6,666 11	
Dehand Mugglafee	Meer Fauzale Ally	in 1182	—	13,100 13	—	8,333 7	—	8,333 7	
Dehand Coorrey	Meer Mauwah	in 1183	—	1,200 11	—	807 6	—	807 6	
Dehand Futypore	Mirza Houssein Ally, and Bar Ally	Ditto	—	2,263	—	1,508 12	—	1,508 12	
Talook Selimabad	Furkand Ally Cawn	in 1185	—	10,000	—	6,666 11	—	6,666 11	
Talook Karah	Meer Khuyr Ulla	in 1184	—	14,000	—	9,333 6	—	9,333 6	
				39,56,742 14 6	97,000	13,13,715 15	7,63,624 13	5,50,090 14	
				Carried forward					

Names of the Places granted as Jagheers.	Names of the Jagheers.	Time when granted.	Amount Juma of each Place.	Juma of the Grant of each Jagheer.	Jagheers refused, and included in the Cabsheets of the Amils.	Amount of Jagheers, assigned by the Nabob for the Honorable Company's Claims.	Amount of Jagheers, the Jagheers of which have not paid their Bonds and Kif-ribands.	Balance or Amount of Jagheers, the Jagheers of which have not paid their Bonds and Kif-ribands.	R E M A R K S.
Deband Baffy	—	—	—	39,96,742 14 6	97,000 — —	13,13,715 15 —	7,63,624 13 —	5,50,090 14 —	
Deband Cuckorrey	—	Old Grant	—	6,000 — —	—	4,000 — —	—	4,000 — —	
Zellah Pepergong, in Maliabad	—	Ditto in 1187	—	2,637 — —	—	1,500 — —	—	1,500 — —	Nabob Madsur ul Dowlah, one of the Nabob Vizier's Family; and the Vizier would not tax him.
Deband Sandilla	—	—	—	17,000 — —	—	—	—	—	Afferruf Ally Khans, all one of his Emsh-keny's Family.
Zellah Ramnagar, in Syluck	—	in 1187	—	48,000 — —	—	32,000 — —	—	32,000 — —	
Deband Lucknow	—	Ditto	—	2,370 — —	—	1,580 — —	—	1,580 — —	
Deband Syluck	—	Ditto	—	2,000 — —	—	1,333 10 4	—	1,333 10 4	
Deband Syluck	—	Ditto	—	6,000 — —	—	4,000 — —	—	4,000 — —	
Schaulce	—	Ditto	—	21,000 — —	—	14,000 — —	—	14,000 — —	
Deband Baharoy	—	Ditto	—	25,000 — —	—	16,666 11 —	—	16,666 11 —	
Nuggur, Amils of Muggur-} bates	—	Ditto	—	30,000 — —	30,000 — —	—	—	—	Affera Ally Khans, his Jagheer is in the same Predicament as that of Mahabood Ally Khans, being in the same Distric.
Deband Syluck	—	Ditto	—	20,000 — —	—	13,333 5 —	—	13,333 5 —	
Deband Syluck	—	Ditto	—	1,000 — —	—	666 10 8	—	666 10 8	Sadduck Beg Khans, in the same District as that of Mahabood Ally Khans and Affera Ally Khans, and returned.
Deband Baunfee	—	Ditto	—	5,000 — —	5,000 — —	—	—	—	
Chetlah Barrelly	—	Old Grant	—	1,15,805 12 —	—	77,204 — —	—	77,204 — —	
	—	Total	—	43,58,555 10 6	1,32,000 — —	14,80,000 — —	7,63,624 13 —	7,16,375 3 —	

N. B. The Nabob Vizier, by including the Coona-try of Fyzullah Khans among his Jagheers, makes their Amount appear to be 45½ Lacks of Rupees; but if the 15 Lacks are deducted, the whole Amount of the Jagheers will not be more than 28½ Lacks; Half of which is about the Amount of the Tussens granted by the Nabob.

Lucknow, the 30th of April 1780.

Errors excepted.

per C. Purling.

The Managers for the Commons acquainted the House, they would next read the Order of the Board to Mr. Purling, upon this Representation to restore the Jaghires.

Read, the following Extract from the same Consultation, beginning at Page 501, of the same Book.

§ [" Agreed, That the following Letter be written to Mr. Purling.

" Sir,

" We have received your Letters of the 31st of April and 22d of May, with their several Inclosures.

" At this late Period of the Year, and in consequence of the strong Objections made by his Excellency the Vizier, added to the Testimony which you bear to the Truth of the Account given of the State of his Finances, we are compelled for the present to wave our Claim to the additional Assignments, which in our Letter of the 3d of April, we required you to obtain for the whole Amount of the Company's Demand upon him; but we hope, that at the Commencement of the Year ensuing, your Efforts, not only to provide for the Exigencies of that Year, but to secure the Payment of the Balance due from his Excellency at the Conclusion of the present, will be more successful."]

§ (" The Expence attending the Collection of the Nabob's Revenues, stated in the Account accompanying your Letter under the Heads Mootaina and Aerajaut and Mahl Charges, amounting in all to the Sum of Rupees 57,92,954. 6. is so enormous and unreasonable, that we know not in what Manner to account for it, without supposing such unlimited Abuses to be committed by the Persons in Charge of the Collection as require the most decisive Exertion of his Excellency to put an End to them. We direct, that you furnish us as soon as possible with the Particulars of these Articles of Expence; and we desire that, at the approaching Settlement of the Revenues for the Year 1188, your Attention may be particularly directed to the Diminution of it, and that you recommend in the strongest Manner to the Vizier the Necessity of his applying the most effectual Remedy to the Abuse, and a principal Means of effecting it, the total Reduction of the Mutaina Troops.

" We have attended to the Explanation and Particulars which you have transmitted to us of the private Jaghires, and authorize you to restore the Assignments on them to the Proprietors.

" Fort William,

We are, &c.")

22d June 1780.

Then the Managers for the Commons acquainted the House, they would next read a Paper from Mr. Hastings's Defence delivered in at the Bar of the House of Commons, to shew that, after those Treaties had been transmitted to Calcutta, and recorded by Mr. Hastings there, he himself mentions, that both the Begums were possessed of Treaties and Guarantees from the Company.

Read, the following Extract from the Manuscript Defence, beginning at Page 232 of the same.

" No Injury was intended or could possibly arise to the Begums, from the Resumption of the Jagheers; they were found destructive of the Nabob's Revenue, and dangerous to the very Existence of his Government; they had been made the Sources to feed a Rebellion. It was necessary therefore to resume them; and the only Change which the Begums Situation could undergo from it, was the Substitution of the Nabob's Agency, with the pledged Security of the Company's Resident, in lieu of that of their Eunuchs Jowar and Bahar Ally Cawn. No Stipulation was made in Favour of any other Jagheerdars, because the Faith of the Company was not concerned in it (a)."

The Managers for the Commons stated, They would next read another Passage to the same Purpose; in which the House would observe, Mr. Hastings represents the particular View of the Nabob at the Time of the Treaty of Chunar, to be the Resumption of the Jaghires of his Mother and Grandmother.

Read also, the following Extract, beginning at Page 237 of the Manuscript.

" When the Nabob so earnestly desired my Sanction for the Resumption of the Jagheers, he certainly had in View only the Begums, and a few others of Magnitude, which he considered protected either by the Guarantee or Favour of the Company. He could not be supposed to ask my Sanction to the Resumption of Grants, in which the Company's Faith was no Ways concerned;

(a) Vide supra, Page 415, Par. 4.

but being aware that his Excellency intended a partial Resumption, reserving the Jagheers of his particular Favourites, who from their Characters and Conduct ought to be the first proscribed, I determined to defeat the Design by advising him to make the Resumption general, and he engaged to follow my Advice. The Consequence of this his Excellency did not at the Time advert to; but when he discovered that, by the Spirit of the Agreement, and my determined Adherence to it, he was precluded from shewing any Partiality; and moreover, that the Produce of the Jagheers, when resumed, instead of coming immediately into his Possession, was to be appropriated to the Liquidation of his Debt to the Company, for which I expressly stipulated, he became indifferent, and even apparently averse to the Resumption (a)."

Then the Managers for the Commons acquainted the House, They had been informed by Mr. Goring, One of the Witnesses examined on Tuesday last, that there was a Circumstance in his Evidence, which, upon having Recourse to his Papers, he discovered to be in some Degree erroneous, and was therefore very desirous of correcting. For this Purpose, they should request Mr. Goring might now be called to the Bar.

Accordingly, Mr. GORING was called in; and asked,

Q. Do you wish to explain any Thing in the Evidence you gave to the House upon Tuesday last?

A. Upon my first Visit to the Begum, I recollect her having taken Notice of the Power granted to me by the Supreme Council of Bengal: She then said, if she was to be removed from the Nabob's Palace, she would go to Calcutta: I assured her, that as that Power was principally in me, she need be under no Apprehension whatever; that I should treat her with the utmost Respect and Attention as long as I continued there. I informed your Lordships, the last Time I was examined, that the Begum had taken no Notice of the Power granted to me till the last Visit I paid her; but I find, upon referring to my Papers, she did take Notice of it upon my opening my Commission to her.

Q. (by Counsel.) I understood you to have said, upon your last Examination, that you saw the Widow of Surajah Dowlah, and that she resided at Moorshedabad: I wish to ask, Whether you are, at this Day, positive that there was any such Person existing at the Time you mentioned: At what Time was it you saw this Lady, whom you suppose to be the Widow of Surajah Dowlah?

A. When I went up to Moorshedabad upon this Commission, which I received upon the 10th of May 1775, I cannot now precisely tell the Day, I paid Visits to every Person of Rank and Consequence; but I had neglected to pay a Visit to this Lady: She sent her Eunuch to me, to inform me who she was; and I understood, from the Message the Eunuch brought me, that she was the Widow of Surajah Dowlah.

Q. Have you any other Reason for believing the Fact to be so, except that Message?

A. Undoubtedly; for I paid her a Visit at her own House; as I had done to every other Person of Consequence.

Q. Was the Person of whom you speak, generally reputed, in Moorshedabad, to be the Widow of Surajah Dowlah?

A. I have not the least Doubt of it. She lived in a very magnificent Manner, had a very large Palace there, and consequently must be a Person well known. The Women do not appear in Publick there.

Q. Was there any Thing peculiar to the Stile or Appearance of the Widow of Surajah Dowlah, so as to distinguish her from other Persons of her Rank and Condition?

A. I do not very well comprehend the Question.

Q. Is there any Thing in their Houses, or any Thing particular in their Mode of living, so as to distinguish them?

A. I only saw the Size of the House, and the Number of Attendants.

Q. Is there any Thing in the Appearance of their Houses, or Families, or Establishments, that distinguish Ladies belonging to the First Family either of Surajah Dowlah, or of other Nabobs, from other Women of Distinction and Opulence?

A. No; nothing that I know of.

Q. (from a Lord.) I wish him to be asked, if he ever heard that this Lady was not the Widow of Surajah Dowlah?

A. Never.

Q. How long did you continue at Moorshedabad after the Time of this Visit?

A. Some Months.

Q. Had you any other Occasion to pay your Compliments to her ?

A. She did me the Honour to invite me to her House ; gave me a very magnificent Entertainment, and offered me considerable Presents, which I refused ; as I did every Present that was offered to me.

Q. (*from a Lord.*) I wish the Witness to be asked, if he should have thought himself authorized, under the Orders he received, to have dispossessed the Begum of her Palace by Force, in case she had refused to comply with those Orders ?

A. I certainly would have made use of every Means in my Power before I would have come to such Extremity as that, if I would have done it at all ; but I do not think I should.

Q. Were your Instructions written Instructions ?

A. Yes.

Q. Where are they ?

A. They are upon Record.

Q. (*by Counsel.*) I abstained, the last Time the Witness was examined, from asking as to the Purport of those Instructions, understanding they were upon Record, not thinking it proper to examine him to a Paper in Existence ; I wish to have the Fact from the Witness, whether the original Instructions are or are not in his Possession ?

A. I believe they are.

Q. Have you those Instructions with you at this Time ?

A. I have not.

Q. When did you see them last ;—you say you believe they are ;—I wish to know whether you are not positive they are ?

A. I have not the least Objection to produce them, nor any Paper in my Power.

Q. (*from a Lord.*) From whom had you your Instructions ?

A. From the Governor General and Council.

Then the Witness was directed to withdraw.

Then CHARLES PURLING Esquire was called in ; and being sworn, was examined as follows.

Q. In what Situation was you in India in the Year 1780 ?

A. I was the Resident upon the Part of the Company at Lucknow.

Q. Do you recollect when you went to reside in that Character ?

A. In November 1779.

Q. How long did you continue there ?

A. A Year ; till November 1780.

Q. What Negotiations had you with the Nabob Vizier, or his Minister, respecting the Resumption of the Jaghires in general ?

A. The Jaghires were never resumed.

Q. But what Negotiations had you upon the Subject of their being resumed ; was there any Proposal for resuming them ?

A. No Proposals for resuming them.

Q. If there was no Proposal whatever for resuming them, what was the Proposal made by you respecting the Jaghires ?

A. That they should be taxed in a certain Proportion.

Q. Do you mean a Tax that was to fall only upon the Estates called Jaghires, or upon other Land-holders besides ?

A. Only upon the Jaghires.

Q. Whether the Nabob was averse, or otherwise, to that Proposition ; how did he receive the Proposition ?

A. I think, upon my first Negotiation for additional Tuncaws upon the Company's Debt, the Nabob proposed the taxing the Jaghires ; but afterwards, when I proposed to him to Tax them, he was very much averse to it ; that was some Time after he proposed himself at first to Tax them.

Q. Then your Negotiations began by demanding Tuncaws, or Assignments, upon the Revenue Lands, for the Company's Debt.

A. Yes, upon the Revenue Lands.

Q. Give your Account of the Transaction ?

A. Upon my first going to Lucknow, I found it necessary to demand from the Nabob additional Tuncaws to what Mr. Middleton had already obtained from the Nabob for the yearly Expences and the Company's Debt.

Q. Do you mean the Vizier's yearly Expences—was you to take Tuncaws for the Vizier's Expences ?

A. By no Means; the Vizier's Expences were those incurred for the Company's Troops in his Provinces.

Q. What was the End and Extent of your Demand of the Tuncaws ?

A. To pay the different Troops, on the Part of the Company, stationed in his Dominions, and for the Civil Expences at Lucknow.

Q. What is your Description of the Civil Expences ?

A. The Resident's Expences.

Q. That was your Reason for demanding the additional Tuncaws ?

A. Yes, and for the Company's Debt.

Q. Give an Account of the Progress of that Negotiation, according to your Memory of it ?

A. Upon my first Meeting with the Nabob, he granted additional Tuncaws for Thirty Lacks of Rupees, or 300,000 l. beyond what Mr. Middleton had obtained before my Arrival at Lucknow; and the Nabob then suggested, that if more should be demanded that the Jaghires might be taxed: I think so, to the best of my Recollection; and I should be very glad to refer to the Records, to see whether I did not mention this to the Council at Calcutta—I do not recollect whether I did or not.

The Managers for the Commons were asked, how that was in point of Fact ?

The Managers for the Commons said, they would read a Passage to the Witness, which he perhaps would recollect.

The House observed, That the Examination of the Witness was to a Matter which he conducted as an Officer of Government Eight or Nine Years ago; that he was willing to give a full Account of it, as far as his Memory went; but having transmitted the Fact to the Company, he wished to be assisted with the Account he gave of it at the Time, to refresh his Memory; which was but reasonable; for if he had taken Notes of it at the Time, he could refer to those Notes for that Purpose.

Read, the following Extract of a Secret Consultation of the 3d April 1780, from Book 26, already delivered in, beginning at Page 60 of the same Book.

“ Fort William, the 3d April 1780.

“ At a Council; Present,

“ The Honourable Warren Hastings, Governor General, President;
Philip Francis, } Esquires.
Edward Wheler, }

Secret Dept.
Monday.

“ Extract of a Letter from Mr. Purling to the Governor General and Council.

“ I have now the Honour to inform you, that his Excellency has been pleased to grant Tuncaws for 37,80,000 more, which makes, with the former Grants, about Rupees 1,06,62,000. I beg Leave to enclose the Account Estimate of Demands made on his Excellency and the General Kistbundee. I hope the Sum granted will be more than sufficient for the Exigencies of the Year, though inferior to that of the Estimate, which amounts to 120 Lacks, including the Balance of the Honourable Company's Account current with the Vizier to the End of Baudun 1186. Out of this Estimate I have omitted the Demand for the Donation to the Army, and the Six Lacks estimated Loss on the Exchange; for the Nabob declares an utter Impossibility to provide more Money for the present Year; and, indeed, the Situation of his Excellency's Affairs at this Period are such as demand my faithful Representation of them, and a very serious Consideration on the Part of Your Honourable Board; and Sir Eyre Coote, who has an Opportunity of judging on the Spot, has required it of me as a Point of indispensable Duty. To be enabled to provide so large a Sum upon the reduced State of his Finances, when Half the Year is elapsed, and One Harvest totally destroyed for want of timely Rain, his Excellency is now certainly getting rid of a great Part of the Animals he has kept, either for his State or for his Diversions; has reduced Part of his Troops which attended his Person, has disbanded many of his Battalions raised for his Collections, has discharged a large Number of the Servants of his Household, among whom are included many old Attendants of his Family, and has put an entire Stop to his Buildings. Notwithstanding these Retrenchments, his Excellency has been obliged to give Assignments upon his Jagheerders to the Amount

Amount of near 15 Lacks of Rupees. The only Means of relieving the Nabob from his present Distress is, by suspending the Demand of the Balance of the last Year's Account current with the Honourable Company, which, I have Reason to believe, his Excellency will be satisfied with; and there is no Doubt he will be able to pay in the ensuing Year, if the Misfortune of a Second Drowth does not prevent his refusing the large Deductions he has been obliged to give his Collectors. If your Honourable Board are pleased to give your Assent to this, the Accounts of the Grants will stand thus:

Amount of the Tuncaws for the Year 1187,.	—	1,06,62,000	—	—
His Excellency's Balance at End of the Year 1186,	20,60,608	2	1	
Deduct Amount, at this Time, in the				
Hands of the several Paymasters, viz:				
Mr. Oliver, temporary Brigade,	3,52,433	9	5	
Mr. Champion's Cavalry, D ^r	71,842	4	—	
	<u>4,24,275</u>	13	5	
				16,36,322 4 8
Balance Tuncaws remaining,	—			90,25,677 11 4

(Signed at the End of Consultation)

Warren Hastings,
P. Francis,
Edward Wheler."

Q. Is that the whole Account that was transmitted, respecting the Part of the Transaction that you are now giving an Account of?

A. Yes.

Q. Do you remember any other Circumstances relative to that Transaction, except those you have mentioned.

A. Nothing more, than that the Nabob proposed to me to tax the Jaghires.

The Managers for the Commons said, the Witness having stated, that he proposed to the Nabob the Jaghires should be taxed, they wished a Paragraph to be read, which would shew what Sort of Temper the Nabob was in at that Time, and explain upon what Ground he made that Proposition.

Read, the following Extract of a Secret Consultation of the 22d June 1780, beginning at Page 530 of the same Book.

" Fort William, the 22d of June 1780.

" At a Council; Present,

" The Honourable Warren Hastings, Governor General, President;
Philip Francis, } Esquires.
Edward Wheler, }

" Extract of a Letter from the Nabob Asoph ul Dowlah to Mr. C. Purling:

" I have in no Respect failed in my Compliance with the Pleasure of the Council, or my Friendship for the Company, as far as I have had Ability; and I have acquainted you very fully with the State of my Country, and the Sources of the Revenue; and I have even put a Stop to the Expences of my Table, and the Animals which I ought to keep, and the Jagheers of my Servants and Attendants; and there are Assets of 98,98,375. After this I wrote the Jagheers of my Grandmother, and my Mother, and of the Nabob Pallar Jung, and of my Family, and the Sons of my Uncle Mirza Ally Khan, which were granted them for their Livelihood; and they amounted to the Sum of 7,63,625 Rupees. By this Means has the Business been done; but they all possess Engagements. And I have made over in Assignment the Expences of my Table, which I have put a Stop to with this View, that the Gentlemen of the Council, understanding my distressed Situation, would shew me their Friendship. I at first opposed the assigning the Jagheers of my Grandmother and Mother, and my Uncle. Now that the Council have, upon such a Representation of my Distress, written that there shall not be less Assignments than 1,06,62,000 Rupees, and that the Balance of 1,36,62,188 must be given, I am acquainted with the Particulars of the 1,36,62,188. If the Gentlemen of the Council, or you, Sir, will inform yourselves from the Accounts, you will find it is not to be obtained. Whatever in Justice can be obtained from the Accounts, have been granted; but at this Time Assignments are demanded of me. The Business of the World is easy, and passes away; and the Gentlemen of the Council should, in every Thing that is just, be my Guardians and my Friends. I do not put my Life in Competition with Friendship. Whatever Assets were in the Country, with even my Table, my Animals, the Jagheers of my Servants and Attendants, are granted in Assignments, amounting to 98,98,375 Rupees. Besides

sides these, the Jagheers of my Grandmother, Mother, and my Uncles, the Nabobs Mirza Aller and Sallar Jung, which were granted them for their Maintenance, are at your Disposal. It the Council have directed you to attach them, do it. In the Country, no further Sources remain; and I have no Means, for I have not a Subsistence. Alas! I have Elephants, Horses, and Houses; if they will serve the Purpose of my Friends, they are ready for them. The Country and the Aumils are at Hand: Wherever Assets can be found, take them; I do not oppose it. In this Situation, I am in Want of a daily Subsistence. I feed upon the Hope and Expectation of Tranquillity. Upon this the Council's Order is arrived. Whatever proceeds from Friendship, is good. My Situation is no Way concealed. How long shall I dwell upon my Misfortunes!—I have written sufficient."

Then the Witness was asked,

Q. Whether he had any Reason to believe this Representation of the Nabob to be untrue?

A. No.

Q. You will proceed, as far as you remember, with the Account of your Negotiations with the Nabob, relative to the taxing the Jaghires?

A. As far as I recollect, after the Nabob had proposed to tax the Jaghires, he became very much dissatisfied, which, I suppose, was the Occasion of that Letter. He allowed the taxing of all the other Jaghires, but he did not like those of his own Family should be taxed; and though he granted Tuncaws for them, I never could make any Collection upon them.

Q. Whether, in the Expressions used by the Nabob of Dissatisfaction at the Jaghires being taxed, any particular Allusion was made to the Jaghires of the Begums?—Was there any other Expression of Aversion to the Resumption of the Jaghires of his Mother and Grandmother, except that his Faith was pledged, as he had given them Agreements?

A. He once appeared to me to be in violent Anger, in a Conversation I had with him upon it.

Q. Upon what Subject?

A. Upon my urging him to tax the Begums, as well as the rest of the Jaghiredars.

Q. What Circumstances were mentioned respecting the Begums having Guarantees from the East India Company for their Security?

A. He informed me that his Mother and Grandmother had Agreements from him, and that they were signed by Mr. Middleton and Mr. Bristow; and he directed his Ministers to give me Copies of them, as far as I can recollect.

Q. Did they do so, according to your Recollection?

A. They did, as well as I recollect.

Q. Did you send any Account of them to the Company?

A. It appears upon the Records.

Q. From whom did you obtain them?

A. From the Nabob and his Minister.

Q. Whether, after you had seen these Treaties, you did desist from, or persevere in, the Idea of taxing the Jaghires of the Begums, Mother and Grandmother of the Nabob?

A. The Nabob granted Tuncaws upon those Jaghires, but I did not make any Collections upon them.

Q. Were those Tuncaws demanded upon your Part, or granted by the Nabob after the Time of your having seen those Copies delivered to you by him or his Ministers?

A. The Tuncaws were granted before those Agreements were given me.

Q. Whether, after you had seen those Agreements, you continued in any Manner to press for the Execution of the Tax?

A. I did not—I made a Representation of it to the Council at Calcutta.

Q. Whether, at the same Time the Copies of the Guarantee to the elder Begum were delivered to you, you did not receive a Copy of the Guarantee, under Mr. Bristow's Hand and Seal, to the Bow Begum?

A. I did.

Q. Do you know what those Copies were that you so received?

A. I was informed the Copies were Copies of Agreements between the Nabob and the Bunnee Begum, and the Nabob and the Bow Begum, not to molest them in the Possession of their Jaghires; and that one of them was granted by Mr. Bristow, and the other by Mr. Middleton.

Q. By whom was you so informed?

A. By the Nabob and his Minister.

Q. You had Copies of them?

A. I had.

Q. Were

Q. Were they in Persian?

A. They were in Persian.

Q. Do you understand that Language?

A. I do not.

Q. Did you get them translated?

A. I did.

Q. Did you send those Translations to the Company?

A. I did, to the Council at Calcutta.

Q. It will appear then whether they were or were not signed in that Manner?

A. Yes.

Q. Did you ever see the Originals?

A. I never did.

Q. You have already said, they were delivered to you as subsisting Treaties?

A. Yes.

Q. Did you or not, when you transmitted them to the Council, consider them as subsisting Instruments?

A. I did.

Q. Were there Two different Copies transmitted by you to Calcutta, or only One?

A. I really do not comprehend the Question.

Q. You have given an Account of Copies having been delivered to you by the Nabob and his Minister. The Question put to you before was, whether Translations of those Copies were by you transmitted to the Government at Calcutta? I understood you to say they were?

A. Yes.

Q. Did you find in your Office when you came there any other Papers, purporting to be Treaties or Copies of Treaties?

A. When I first went to Lucknow?

Q. Or at any Time when you were there?

A. No, I did not.

Q. Whether you ever heard any Objection made upon the Part of the Governor General and Council to that Treaty, respecting the elder Begum, or ever heard that it was in any Respect doubted?

A. I did not.

Q. Where was Mr. Middleton at the Time you transmitted those Treaties to Calcutta?

A. I believe Mr. Middleton was in Calcutta; I am not certain.

Q. (*from a Lord*) I wish to ask, whether you know of any Instance in the Province of Oude of such a Measure as the Resumption of the Jaghires, or of their being taxed?

A. Not in the Manner it was proposed in the Year 1780; but I have stated upon the Records here, that the Nabob has resumed Jaghires at his own Pleasure, whenever he chose.

Q. Have you referred to any Instance of it?

A. They are particularly mentioned upon the Record.

Q. Transmitted by you to Government?

A. Transmitted by me to Government. I have also said, that the Exercise of his Power with respect to the Jaghiredars has always been arbitrary, as far as I recollect.

Q. Whether there is not some Distinction with respect to the Title of the Jaghires?

A. I cannot comprehend the Question.

Q. Do you know of any Distinction with respect to the Title of the Jaghires, whether they are all held from the Nabob?

A. All the Jaghires of the Nabob's Country are certainly held of the Nabob.

Q. (*from the Managers.*) Whether you have not heard that many Jaghires are confirmed by Sunnuds from Delhi?

A. I have.

Q. Do you mean in the Province of Oude, or any other Place, and where?

A. In all the Provinces of Indostan.

Q. Whether you have not heard that Lord Clive's Jaghire was so confirmed?

A. I have heard it was.

Q. Whether you have yourself known any Instance of the Resumption of the Jaghires, previous to this Resumption by the present Nabob?

A. I do not recollect any; but from the Form of the Government in Hindostan, I have no doubt there are many Instances of it. I have no Doubt: but I cannot recollect any.

Q. Those Resumptions, according to your Knowledge of the Form of Government, from the Observations you made, were they regarded as Acts of Violence, or as having been done in the ordinary Course of Things?

A. Towards People of high Rank, I believe it would be considered as an Act of Power; but it is generally considered in Hindostan, that the Power which can confer a Subsistence of that Kind can take it away again.

Q. Whether you know if there might not be a Difference between the Tenure of the Jaghires, and that some are expressed during Pleasure, and others during Life?

A. I believe they are.

Q. Whether you do not know, or have not Reason to believe, that the Jaghires of the Begums were granted to them for the Term of their Lives?

A. I do not know from what Period it originated; but I should conceive that People of their Rank would have Jaghires of that Kind for Life.

The Managers for the Commons were asked—If there was no Account transmitted to Calcutta of the Nature of the Begums Jaghires?

The Managers for the Commons made Answer—The Begums themselves, and their Ministers, constantly asserted they were for Life; some of them were not derived from the present Nabob, particularly the elder Begum's.

Q. Whether the Nabob made any Complaints of the Jagheerdars, in general, in his Dominions, that they were hostile to his Government, and brought Distress and Confusion upon his Affairs?

A. I never heard he did.

Q. Whether you remember the Nabob's representing, that the Begums were in Enmity with him?

A. I have heard of occasional Disputes between the Nabob and his Mother and Grandmother, but never that they were hostile.

Q. Whether the Tenure of the Jagheerdars, in respect of the Troops and Forces they might keep up, were represented by the Nabob as bringing Confusion into the Affairs of his Government?

A. By no means.

Q. Whether you had any Reason to believe, that either of the Begums were disaffected, or entertained hostile Designs towards the British Government?

A. I never heard so.

Q. Nor were disaffected?

A. Not while I was there.

Q. Do you not think, or have you not Reason to know, that the Begums depended upon the British Government, and looked to them for Protection, and treated with you accordingly, as Resident?

A. I never had any Negotiation with the Begums at all; but from what passed with Mr. Middleton, I have no Doubt but they looked to the Government for Protection.

Q. They looked to the Government for Protection?

A. I have no Doubt of it.

Q. Whether you considered yourself as in the Confidence of Mr. Hastings, and in the Secrets of the British Government, while you were Resident at Lucknow?

A. From what Judgment I could form, I believe I was not.

Q. Had you an Assistant Resident there?

A. I had.

Q. Who was he?

A. Mr. Bathurst.

Q. Whether you have any Reason to think Mr. Bathurst had his Confidence?

A. I really cannot tell; I do not think he had.

Q. Whether there were any other Gentlemen Assistants in the Resident's Office there?

A. There were Two more.

Q. Who were they?

A. Mr. Hill and Mr. Holt.

Q. In what Character was Mr. Richard Johnson there?

A. He went up with Sir Eyre Coote, in his Family.

Q. In what Light did you consider Mr. Johnson there; as Assistant to you in the Government, or as a Spy upon you? Was he in the Resident's Office at all?

A. He was not at that Time.

Q. In what Light did you consider Mr. Johnson's being there ?

The Counsel for the Defendant objected to the Witness's Opinion.

The House observed, that the Witness had said he went up in Sir Eyre Coote's Family ; the proper Question to put therefore was,

Q. Whether he was there in any other Character ?

A. I do not know of any other Character he had, at that Time.

Q. Had he any other Character ?

A. He had not, at that Time.

Q. (*by the Managers.*) For what Purpose do you imagine he was there ?

A. I have said, he was there in Sir Eyre Coote's Family.

Q. Whether he did not interfere in the Government, in the Affairs of your Mission ?

A. Mr. Johnson had frequent Conferences with the Nabob's Ministers ; and I certainly considered that as an Interference with my Office.

Q. Did Mr. Johnson communicate to you the Subject of those Conferences ?

A. He did not.

Q. (*by the Counsel.*) Whether Mr. Johnson, at the Time you speak of, was not in Sir Eyre Coote's Family at Lucknow ?

A. I mentioned he went up in that Family.

Q. You have been asked, Whether you observed any Instance of the Begums disturbing the Nabob's Government ; I wish to know whether you returned into the Country of Oude at any Time after the End of 1780 ?

A. Never.

Q. You have been asked, whether the Nabob had ever expressed any Apprehension respecting the Power and Authority of the Jagheerdars in his Country ; I wish to know whether you recollect writing a Letter, in which there is this Paragraph :—" Though from the natural State of this Country, where the Zemindars take the immediate Advantage of every Relaxation in the Government, and continually avail themselves of the Removal of the Forces from their Districts, by raising Troops of their own, building Forts, and with-holding their Rents ;"—Do you recollect ever having made a Representation to that Effect ?

A. No Doubt I did.

Q. Do you know that the Nature and Extent of the Power and Authority of the Jagheerdars was such as to give them an Opportunity, if they pleased, of making any Disturbance in the Government of Oude ?

A. No Doubt, where large Sums of Money can be raised, People may raise Troops ; but I did not hear there was any such Intention at that Time.

Q. The Question was not about Intention ; I will make it intelligible to you if I can : What Quantity of Troops were kept up by the Begums or the other Jagheerdars, do you know that ?

A. No, for the Jagheerdars are exempted from the Investigation of the Affairs of Government ; and as they pay nothing to Government, they can have no reason to be in Contention with the Government, respecting any thing to pay them.

Q. Not being responsible to Government, they can have no Dispute with them, about what they are to pay ?

A. No.

Q. And you do not know, what Number of Troops are kept up by any of those Jagheerdars ?

A. No.

Q. Do you know of any other Means of their raising a Disturbance in the Government there ?

A. No other, than by having Sums of Money at their Disposal.

Q. Whether the Circumstance of their being exempt from the Authority of Government prevents their being able to destroy that Government ?

A. I did not say they were exempt from the Authority of Government.

Q. Do you know whether the Grants of the Jaghires are in Writing, or at the Pleasure of the Prince, by Parole ?

A. I understand they are always given by Sunnuds, under the Signature of the Prince ; there is some Mark he makes, I forget the Mark.

Q. I wish to know whether you ever saw any of those Instruments with the Mark you mention ?

A. I think I have ; but I cannot at this Time describe it.

Q. But

Q. But you take them to be Grants in Writing?

A. Yes.

Q. Is there any Difference, in point of Form, between the Jagheers granted to a Person of high Rank and Authority, and the Jagheers granted to one of inferior Rank?

A. I do not know.

Q. The Witness was examined to a Letter written by the Nabob, which, I think, he said, he conceived to be a true Representation; I would wish to know from the Witness, whether he meant to represent, that the Whole of that Letter is to be taken literally as true, and particularly this Passage in which the Nabob says, "If the Council has directed you to attach them, do it: In the Country no further Resources remain. I have no Means, because I have not the Means of Subsistence (a)." Do you take that Representation to be true?

A. I could not doubt but the Nabob must have a Subsistence in the Country; but he meant by that Passage to represent a great Distress in his Circumstances; that is what my Imagination of it was.

Q. Whether you mean, when the Nabob says, I am in want of daily Subsistence, that at that Time he was not living in a Princely State, as usual?

A. I think they said he had disbanded some of his Troops, and dismissed some of his Servants, at the Time; but he had much the same State.

Q. He had dismissed some Troops; to what Amount?

A. I do not know: some of both were discharged.

Q. I do not know whether I understand the Witness, with respect to that Agreement with the elder Begum, whether there was any Copy of that in the Resident's Office, before it was given by the Nabob to Mr. Purling?

A. I never saw any.

O. (*from a Lord.*) If I have not misunderstood the Witness, he said Mr. Johnson went up in the Suite of Sir Eyre Coote; he afterwards said, that Mr. Johnson held Conferences with the Minister, which he considered as trenching upon his Office as Resident, and of which Mr. Johnson gave no Account to him. At the Time he held those Conferences, did he consider Mr. Johnson as being in the Suite of Sir Eyre Coote; did he remain in the Suite of Sir Eyre Coote the whole Time he was there?

A. He did the whole Time; he continued in it all the Time he was there.

Q. Do you know what the Amount of the Savings was, by the Reductions you have spoken of, of the Troops and the Servants; did they amount to 93 Lacks a Year, or any other Sum?

A. I do not know a Syllable of it.

Q. (*from a Lord.*) I think you said you had transmitted a Copy of the Agreement with the Begums, which Mr. Middleton had signed and sealed, and which was Yesterday called the First Agreement, and that you had received it, and transmitted it to Calcutta?

A. Yes.

Q. I also understand you to say, you had transmitted a Copy of the Agreement with the Nabob, to which you also understood there was Mr. Middleton's Signature and Seal; did you send any other Copies of any other Instrument, which you understood to be subsisting Agreements between the Nabob and the Begums?

A. They were two different Agreements, One between the Nabob and his Grandmother, and the other between the Nabob and his Mother.

Q. Were both those Agreements given you by the Minister of the Nabob?

A. They were, both.

Q. You sent them both?

A. I sent them both.

Q. Were there any other besides?

A. No; they were each of them in two Parts: I think there are two Papers of each upon Record.

Q. Each in Two Parts, and consequently Two Papers of each?

A. Two Papers of each.

Q. Did you send any other Papers besides these?

A. I believe there is a Letter from the Nabob to the Uncle Salar Jung, in which he tells him, he will not molest him in his Jagheers.

The Managers for the Commons stated, There was such a Letter as that, but they did not insert it in their Evidence here, because it was not to the present Purpose.

Q. Are you aware of a Paper considered as a conditional Agreement with the Begum, to obtain a Treaty from the Nabob in her Favour, that Mr. Middleton transacted with her?

A. That is One of the Papers I sent down, with my Observations upon it, relative to the Jaghires.

Q. That being One of the Papers that you transmitted to Calcutta—Was it One of those Papers that was delivered to you by the Nabob or his Minister?

A. Those Papers were both delivered to me, as a Ground for exempting the Begums from any Collection being made upon their Jaghires.

Q. By whom?

A. By the Minister of the Nabob.

Q. So that the conditional Agreement, as well as the other, was delivered to you by the Nabob or his Minister?

A. By his Minister.

Q. Were they delivered as different Papers?

A. They were delivered together.

Q. In your Memory, from the View you had of those Papers, do you know whether Mr. Middleton's Signature was to both.—Did these Copies appear to have the Signature of Mr. Middleton and the Nabob, or either of them?

A. I do not recollect whether they had or not. They were said to be under the Signature of the Nabob, and the Guarantee of Mr. Middleton; but I don't recollect seeing any Thing else.

Q. Whether you ever heard of that conditional Treaty with the Elder Begum, previous to the Communication of that Paper from the Nabob?

A. I might have heard of it a Day or Two before, but I do not recollect it at present.

Q. Do you recollect, in fact, that you did hear of it a Day or Two before?

A. No; I do not.

Q. Whether you ever applied to see the Original, either of the Agreement, or of the subsequent Treaty?

A. I never did.

Q. Whether you did not receive the Treaties from the Nabob as complete Instruments; and whether the Nabob did not consider them as Instruments by which he was bound?

A. I did.

Q. Whether it is usual in the Resident's Office in India, that there should be Books of Record kept of the Proceedings of that Office?

A. There is a Letter Book; but there is no Appearance in the Letter Book that denoted such a Transaction to have taken Place.

Q. Whether those Letters, that were recorded in your Resident's Office, were transmitted also to Calcutta?

A. This Letter Book usually contained the whole Correspondence of the Resident to any particular Army Stations, or on any other particular Business.

Q. The Question is, whether in that Letter Book, or from any Knowledge you had, there were any Traces of this Agreement, between the Nabob and the Begum, to be found?

A. I did not see any.

The Managers for the Commons stated, that in Corroboration of the Testimony of the Witnesses, relative to the Distress of the Nabob, they would next proceed to read Two short Extracts: One an Extract of a Letter from the Nabob, stating his Distress; the other, an Extract of a Letter from Mr. Purling, vouching for the Truth of the Circumstances so represented by the Nabob.

Read, the following Extract of Appendix to a Consultation, on the 13th of December 1779, from Book 112, already delivered in, beginning at Page 912 of the same Book.

" Extract of Translation of a Letter from the Vizier to the Resident, C. Purling Esquire, at his Court, being an Enclosure in his Letter to the Board, dated Lucknow, 19th November 1779.

" The Situation of my Affairs respecting the present Time, I informed Mr. Middleton of, both by Writing and Conversation, and I now proceed to lay the Whole before you.

" During these Three Years past, the Expence occasioned by the Troops in Brigade, and others commanded by European Officers, has much distressed the Support of my Household, insomuch that the Allowance made to the Seraglio and Children of the deceased Nabob has been reduced to One Fourth Part of what it was, upon which they have subsisted, in a very distressed Manner, for these Two Years past. The Attendants, Writers, Servants, &c. of my Court have received no Pay

Pay for these Two Years; and there is at present no Part of the Country that can be allotted to the Payment of my Father's private Creditors, whose Applications are daily pressing upon me. All these Difficulties I have for these Three Years past struggled through, and found this Consolation therein, that it was complying with the Pleasure of the Honourable Company, and in the Hope that the Supreme Council would make Enquiry, from impartial Persons, into my distressed Situation; but I am now forced to a Representation."

Read, the following Extract of a Consultation of the 3d of April 1780, from Book 26, already delivered in, beginning at Page 61 of the same Book.

" Extract of a Letter from C. Purling Esquire to the Board.

" Dated Lucknow, February 9th 1780.

" Out of this Estimate I have omitted the Demand for the Donation to the Army, and the Six Lacks estimated Loss on the Exchange; for the Nabob declares an utter Impossibility to provide more Money for the present Year; and, indeed, the Situation of his Excellency's Affairs at this Period are such as demand my faithful Representation of them, and a very serious Consideration on the Part of your Honourable Board; and Sir Eyre Coote, who has an Opportunity of judging on the Spot, has required it of me as a Point of indispensable Duty. To be enabled to provide so large a Sum upon the reduced State of his Finances, when half the Year is elapsed, and one Harvest totally destroyed for Want of timely Rain, his Excellency is now certainly getting rid of a great Part of the Animals he has kept either for his State or for his Diversion; has reduced Part of his Troops which attended his Person; has disbanded many of his Battalions raised for his Collections; has discharged a large Number of the Servants of his Household, among whom are included many old Attendants of his Family; and has put an entire Stop to his Buildings. Notwithstanding these Retrenchments, his Excellency has been obliged to give Assignments upon his Jagheerdars to the Amount of near Fifteen Lacks of Rupees.—The only Means of relieving the Nabob from his present Distress, is by suspending the Demand of the Balance of the last Year's Account current with the Honourable Company."

Q. That is the Representation you gave at the Time, upon your Recollection?

A. Yes.

Q. Do you think that Representation to have been correct?

A. Yes.

Q. Was the Treaty signed by Mr. Britton, with the Younger Begum, the same Species of Instrument with that which was signed by Mr. Middleton, with the Elder Begum?

A. No; I believe not: But both Treaties are here, and may be read: They will give Information better than I can.

The Managers for the Commons acquainted the House, that as they conceived they had laid sufficient Evidence before the House, respecting the Treaty with the Elder Begum, they should next call Mr. Middleton to examine him relative to the Treaty with the Younger Begum.

NATHANIEL MIDDLETON Esquire, was accordingly called in, and examined as follows.

Q. Was you, or was you not, a Second Time at Fyzabad in the Year 1778?

A. I think I was.

Q. Have you any Doubt about being there in the Year 1778?

A. I have a Doubt about the exact Time; but not as to being there a Second Time.

Q. Some Time in the Year 1778 or 1779, or at what Time?

A. Some Time thereabouts I was.

Q. Answer as near as you can, whether you was at Fyzabad either in one Year or the other?

A. I was in the Year 1778, as far as I can recollect.

Q. Whether, the Second Time of your being there in the Year 1778, you signed any Treaty of Guarantee, of any Kind, with either of the Begums?

A. I think, the second Time I was there, the Nabob Vizier was also there; and, according to my Recollection, there was some Sort of an Agreement between him and the Younger Begum, the Bhoy Begum, to which it is very likely I gave my Signature.

Q. Whether, according to your Recollection, you did, or did not, give your Signature to a Treaty at that Time?

A. I think I did. It will appear upon the Records if I did: I refer to them, and think, according to the best of my Recollection, I did.

Q. Did

Q Did you transmit that Treaty, the Original, or a Copy of it, to the Governor General and Council at Calcutta?

A. I should apprehend I did; but I beg Leave to refer to the Records.

Q. Whether you had not Authority or Sanction from Mr. Hastings, for executing and signing that Treaty?

A. The Bhow Begum was always considered to be under the immediate Protection of the Company, therefore any Negotiation between her and the Nabob, to which I became a Party, I conceive I was authorised in, from the several Instructions of the Company. I do not recollect I had any express Orders for the Act to which I am now alluding.

Q. Had you any Communication with Mr. Hastings upon the Subject of this Treaty, which, according to your Recollection, you had signed, after you had signed it?

A. I do not believe I had.

Q. Did you not apply to the Secret Committee, since your Examination Yesterday, for Permission to refresh your Memory, by looking at the Books of your whole Correspondence while at Lucknow?

A. I did.

Q. Have you been employed in looking over those Books this Morning?

A. For about Ten Minutes I was.

Q. At what Time was you informed the Books would be ready for you?

A. Mr. White called upon me last Night, to say I might inspect the Books any Time this Morning. The Note was left at my House when I was not at Home.

Q. When did you receive the Note?

A. I received it last Night, but was not at Home when it came.

Q. Have you inspected them, so as to receive all the Information from them that you want, upon this Subject of the Treaty?

A. The Purpose of my Reference to the Books of Correspondence was, to give your Lordships a more perfect Account of the Treaty with the Elder Begum than I was able to give Yesterday, and my Researches were entirely confined to the Letters upon that Subject.

Q. Had you a sufficient Opportunity to refresh your Memory upon that Subject?

A. As far as the Correspondence would serve to refresh my Memory, I have.

Q. Was you not examined to this Subject also Yesterday, and a Letter from the Bhow Begum relating to the Treaty read to you?

A. I recollect a Letter being shewn to me from the Bhow Begum, which, I understood from the Honourable Managers, referred to the Elder Begum.

Q. Whether you have adverted to that Letter, and to a Letter from Mr. Hastings upon the same Subject, To-day?

A. I have no Copy of that Letter from the Bow Begum.

Q. Have you read that Letter To-day?

A. No, I have not.

Q. Have you read a Letter from Mr. Hastings upon the same Subject To-day?

A. I have read a Letter, in my Books of Correspondence, from Mr. Hastings in his official Capacity of Governor General, upon this Subject.

Q. Upon the Subject of all the Treaties?

A. Upon this Subject of the Treaties subsisting between the Nabob and the Begums, to which the English were Security.

Q. Whether the Begum did not consider the obtaining your Signature to the new Treaty in 1778, as an additional Security to her?

A. No Doubt she did. I believe it will be found the additional Treaty contains some additional Articles which were not mentioned, and Stipulations which are not expressed, in the original Treaty.

Q. The Treaty of October 1778, you mean?

A. Yes.

Q. It contains other Articles than you mentioned before?

A. Yes; other Articles and Stipulations not mentioned in the original Treaty; I believe it does; I have no Copy of the Treaty.

Q. Do you recollect whether you signed this Treaty?

A. To the best of my Belief I did sign it.

Q. Do

Q. Do you remember whether the Elder Begum is not mentioned in that Treaty ?

A. I do not recollect whether she is or not ; I beg Leave to refer to the Treaty.

Q. Whether you considered that Treaty as binding upon you, and upon the Government of Bengal ?

A. If it was sanctioned by the Governor General and Council, I certainly should ; I am not certain of the Fact : But had it been sanctioned by the Governor General and Council, I most certainly should.

Q. The Question is, Whether you, in your future Proceedings, treated, and considered and acted upon that as a binding Engagement, consequently as a Sanction, or not ?

A. Certainly it depends upon the Terms of my Signature ;—possibly it might be only to exert my Influence with the Nabob, upon all Occasions in which he should attempt to infringe the Rights of the Begums.

Q. Do you, or not, recollect whether, in your subsequent Dealings with the Begums, that Treaty was considered by you as a subsisting and binding Engagement ?

A. Yes ; I should think it was.

Q. You think it was ?

A. I think it was.

Q. Did you consider this as a regular, solemn Engagement, the Treaty of October 1778 ?

A. Certainly.

Q. Do you know whether this Treaty had any Date ?

A. I do not recollect, but I should imagine it had.

Q. Whether you recollect, or have as good Reason to believe that this Treaty had a Date, as that the Treaty with the Elder Begum was without a Date ? Have you any Reason to believe upon that Subject either this Way or that ?

A. I know it is usual to date Treaties ; what I said respecting the Treaty with the Elder Begum Yesterday, I took from the Book.

Q. Have you seen this Treaty upon the Book ?

A. No, I have not.

Q. The Witness said, he knew of no Instance of a regular Agreement being without a Date ; the Witness has now shewn, that it was without a Date.

A. I spoke from my own Knowledge ; no Instance had come to my Knowledge of a Treaty without a Date.

Q. Do you recollect any now ?

A. None.

Q. What are the Circumstances, which enabled you to recollect so much respecting this Treaty in October 1778, with the Bhow Begum ; and which did not lead you to recollect any Thing of the Negotiations of the Nabob with the Elder Begum ?

A. I have not a very perfect Recollection of that Treaty with the Bhow Begum ; I have only a general Recollection, that it was to terminate some Disputes upon new Matters that had occurred between the Nabob and the Begum, which could not have been Matter of Dispute, if they had been inserted in the original Treaty.

The Counsel for the Defendant requested, before any new Examination was gone into, that the Treaty might be put into the Hands of the Witness, that he might be able, from the Inspection of it, and his Recollection, to give a better Account of it.

The House observed, that the Witness had been examined to the whole Progress of the Treaty, before he was shewn the Treaty ; therefore, if there were any particular Circumstances relative to that Transaction, upon which it might be explained, it was fit he should see the Treaty, to have an Opportunity of refreshing his Memory.

The Treaty was shewn to the Witness ; and the following Question was put to him.

Q. You have been understood to say, you have had an Opportunity of looking into some Books ? What Books were they ; do you recollect them ?

A. They were Letter Books ; Letters of Correspondence.

Q. Was it your Letter Book, or a publick Letter Book ?

A. A publick Letter Book ; my own publick Letters to Government.

Q. Having had that Opportunity, is there any Explanation you are desirous to give to the House further, of the Deposition you made Yesterday ?

A. I

A. I examined the Books for that Purpose to refresh my Memory, to endeavour to give your Lordships a more perfect Account than I could Yesterday.

Q. What is the Account you would now give?

A. I found the several Letters read by the Honourable Managers in the Course of this Prosecution: I found also one from the Board, in which they declined giving me any Authority for concluding the Treaty with the Elder Begum; assigning their Reasons for it: I also found a Letter from myself to the Governor General and Council, mentioning, that the Nabob Vizier had refused positively to ratify the Agreement with the Elder Begum. That is all that appears upon the Correspondence, with respect to the Matter. I am, however, inclined to believe, that the Agreement was entered into and signed by the Nabob and the Elder Begum; and, I think, it is very probable (I speak from Probability only, without the smallest Recollection of the Fact), it is very probable I did give my Signature to it: I speak from Probability, not from any Recollection I have now of the Matter, more than I had Yesterday.

Q. Is that the Whole of the Explanation you mean to give, of the Evidence that you delivered Yesterday?

A. That is all that I am able to give.

The Managers for the Commons observed, That the Witness had mentioned having received a Letter from the Board, refusing to become Guarantee for the Elder Begum: That they denied that Letter to be any Authority from the Board; and desired it might be now read. But First it would be necessary to read Mr. Middleton's Letter.

Read, from Book 76, already delivered in, Extract of a Consultation of the 9th February 1778, beginning at Page 437 of the same Book.

" Honourable Sir and Sirs,

" I had the Honour to address you under Date the 25th instant, acquainting you with the Substance of the Conversations which had passed between the Old Begum and myself on the Subject of her proposed Expedition to Korbùlla. I now do myself the Pleasure to forward you a Translate of a Writing she had presented to me, containing her several Requisitions and Claims, which she expects shall be complied with and guaranteed to her by the Company; so that it may not be in the Power of the Nabob at his Pleasure to annul any of the Conditions, or deviate from any of the Provisions therein specified. That the Honourable Board may be clearly informed of the Nature and Propriety of the Begum's Expectations, I have subjoined short explanatory Observations to each separate Article; and if the Honourable Board shall be pleased to consider them after in the Light it appears to me, I hope to be favoured with their Permission to sanctify the Agreement in the Manner the Begum requires, in my Publick Character. I have referred the Subject to the Nabob for his Consideration and Approval; but I have little Expectation that he will of his own Accord acquiesce in the Begum's Propositions, however moderate and reasonable they may appear; and if he should, his Assent alone, without the Ratification and Guarantee of the English, will not be accepted as any kind of Security by the Begum. If however his Excellency approves of these Propositions, and gives them the Sanction of his Signature, I apprehend there will be no Impropriety in my becoming a Surety for their Performance; in which Case, the direct Interposition of the Honourable Board will not be necessary; but if, on the contrary, he should refuse his Concurrence, I beg Leave, with humble Submission, to suggest the Necessity of an immediate Exertion of their Influence to secure the Begum, whatever they may be pleased to consider her undisputed Rights; when I doubt not I should be able to prevail upon her to relinquish her Design of a Pilgrimage to Korbùlla altogether, though she at present declares her Intention of prosecuting it at the Expiration of Two or Three Months, even admitting her Requisitions are complied with. Indeed I have great Reason to believe she has no serious Intention of undertaking so arduous a Task, and that her View is only to withdraw herself from these Dominions, where the Treatment of her Grandson seems to have rendered her Residence disgusting and irksome to her, and to accept of an honourable Retreat, which I am informed has been offered her, for herself and Family, both by the King and Nudjiff Cawn. I am the more confirmed in this Belief, from her extraordinary Partiality to a young Man, who she has bred up from a Child, and adopted as her Son, and who she means shall inherit the Residue of whatever she may be possessed of, after deducting from it what she may consider an adequate Provision for her own Family, and immediate Dependants; which Intention she thinks she cannot so well execute in this Country, as the Vizier, no doubt, considers himself the legal Heir to her Property, and if unrestrained, I am certain, would pay very little Attention to any previous Disposition she might make of it. I form this latter Opinion upon some late Declaration which the Nabob has made, importing, that if the Begum was bent upon abandoning his Dominions, in Opposition to his Will, it was his Determination that she should not carry more with her than her Wearing Apparel.

" Fayzabad,
27th January 1778.

" I have, &c.
(Signed) N. Middleton,
Resident at the Vizier's Court."

Then

Then the Witness was asked,

Q. Did you refer to a Letter from the Board as a Foundation for surmising that this Guarantee was not ratified?

A. Yes.

Q. What is the Date of the Letter from the Board?

A. It is dated the 23d of March 1778.

The House directed that Letter to be read.

Read, Extract of a Consultation of the 23d March 1778, from Book 77 already delivered in, beginning at Page 5 of the same Book.

3 [" We have duly considered your Letters of the 25th and 27th January, 2d and 3d February, on the Subject of the Complaints and Requisitions of the Old Begum and Bow Begum.

" We can have no Right to interfere between the Vizier and his Relations or Subjects, for the Redress of any Grievances which they may sustain from him, except by Remonstrance, or in Cases that we shall deem of a Nature so gross and enormous as to cast a Reproach on the Company, and to involve and affect the Dignity of the British Name, by withdrawing ourselves from such a dishonourable Connection; we must therefore decline giving you Authority at present to insist on the Nabob's immediate Restitution of the Property claimed by the Old Begum, and by the Family of the Nabob Sheer Jung, deceased; but as we approve of the Means you have taken to conciliate the Differences that have arisen with the former, and dissuade the Nabob from the Act of Oppression which he intended to commit on the Estate of the latter, we desire you will repeat your Remonstrances to the Vizier on both these Points in the Name of this Government; representing to him the Consequences of such an arbitrary Proceeding; the Reproach to which his Honour and Reputation, as well as ours, from being connected with him, will be exposed by such Acts of Cruelty and Injustice; and the Right, which we derive from the Nature of our Alliance with him, to expect that he will pay a Deference to our Remonstrances.

" If he shall persist in his Refusal after this to agree to any reasonable Terms, you are to take no further Steps till you have advised us thereof, and of every Circumstance attending it, that we may give you our final Orders for your Guidance.]

§ (" Having given the Old Begum such a Proof of our Desire to assist her, and to obtain Security for her in her present Situation, we hope she will be satisfied to continue where she is, as we can by no Means encourage her Wish to remove with her personal Wealth from the Nabob's Dominions.

" With respect to the Bow Begum, her Grievances come before us on a very different Footing; she is entitled to our Protection by an Act not sought by us, but solicited by the Nabob himself, and granted in Compliance with his and her Request; we therefore empower and direct you to afford your Support and Protection to her in the due Maintenance of all the Rights she possesses in virtue of the Treaty executed between her and her Son, under the Guarantee of the Company, and against every Attempt that may be, directly or indirectly, made to infringe them: At the same time, that we recommend the greatest Delicacy to you in every Case of this Nature, we desire that you will act with Firmness and Resolution, and, as far as you can, with Effect.")

§

Then the Witness was asked;

Q. Did you proceed, upon that Letter, with the Elder Begum, upon the Notion of its being, or not being, a Ratification of any Agreement made between her and the Nabob, and guaranteed by the Company?

A. I do not recollect I did.

The Counsel for the Defendant requested, That an Allegation in the Defendant's Answer, in which he denies, that any Guarantee of the British Nation was ever pledged to the Elder Begum for her Protection, might be read.

The same was read, as follows:

" And the said Warren Hastings does not know or believe, that any other Interferences, Powers, or Authorities, were made, given, granted, or confirmed, by the said Governor General, and the said Council, for the Purpose aforesaid: And he denies that any Guarantee of the British Nation, or any Guarantee of any Kind whatever, was, by the Resident, under the Authority of the said Warren Hastings, ever pledged to the said Elder Begum for her Protection."

Q. (from a Lord). What do you understand by the Words of the Council "approving of the Means you had used?"

A. The Step I had taken in going to Fyzabad, to endeavour to reconcile the Disputes between the Nabob and his Mother and Grandmother.

Q. Did not the Nabob, at the Time of executing the Treaty of 1775, where she gave 56 Lacks, in Lieu of all Demands made upon her, give her a Coulnama, as a Pledge upon that Occasion?

A. I understood he did.

Q. Was that Coulnama transmitted to Calcutta, or any Copy of it?

A. I was not at Lucknow at that Time.

Q. (*by a Manager.*) Where was you in March and April 1780?

A. I was at Calcutta, or somewhere very near it.

Q. Did Mr. Hastings demand any Explanation from you at that Time with respect to the Treaty transmitted by Mr. Purling?

A. No.

Q. (*by a Lord.*) With regard to your Proceeding subsequent to the Receipt of the Letter from the Board, I wish to know whether you did signify to either of the Parties, namely, to the Begums or either of them, or to the Nabob, that the Company would not guarantee the Agreement between them?

A. I don't remember that I made any Communication of that Sort.

The Managers for the Commons acquainted the House, they would now proceed to examine the Witnesses upon the other Heads of Evidence.

Q. Whether, during any Part of the Year 1778, you saw or knew of any Disaffection or hostile Temper in the Begums towards the British Government?

A. I did not.

Q. Whether you did not use your utmost Endeavours to persuade the Elder Begum to forego her Intention of quitting the Nabob's Dominions?

A. I certainly did.

Q. Whether the Begums did not conceive they had many powerful Enemies at the Nabob's Court?

A. I do not recollect they made me acquainted with their Conceptions.

Q. Did they make any Complaints to you of the Treatment which they received, either from the Nabob, or any of his Servants, or Persons employed in his Government?

A. To the best of my Recollection, they complained of Interference with their Right by different People of the Nabob's Government—of occasional Interferences.

Q. Whether or not you understood them as looking to the British Government for Support and Protection?—When they made those Representations to you, with what View did you suppose they made them?

A. To get them redressed.

Q. That is, to you as British Resident?

A. Yes, to use my Influence with the Vizier to get them redressed.

Q. Whether they addressed themselves to you to use your Influence which your being Resident for the British Government gave you with the Vizier, or did you understand them to apply to you with a View of going to your own Government for further Assistance?

A. I conceive they meant I should use my Influence to procure this Redress, both with the Vizier and my own Government.

Q. Did you know of any other Power or Connection in India, to which the Begums looked with greater Confidence than to the British Government, to afford them Protection?

A. No, I did not, at that Time.

Q. (*by a Lord.*) I wish to ask, as to the Time when you signed this Treaty between the Nabob and the Begum, whether it was before or after the Receipt of the Letter from the Board?

A. May I ask, with which Begum?

Q. The Elder?

A. I have informed your Lordships, I do not recollect positively signing that Treaty at all.

Q. Whether the Transaction of that Treaty, such as it was, was before or after the 23d of March?

A. I think it must have been after that Letter, if I did sign it.

Q. (*from a Lord.*) How came you to sign the Treaty after that Letter, understanding it as you understand it?—or did you sign it?

A. I am not certain I did sign it: If I did, I said before, it was probably as pledging myself to use my Influence with the Nabob, as far as I could, to prevent his infringing upon the Begum; but not as looking upon myself as having any Authority from the Government under which I served.

Q. I desire

Q. I desire to know, whether you did not, upon another Occasion, declare that if you had signed such a Paper, you must have had an Authority for it?

A. If I signed it as a Guarantee upon the Behalf of the Company, I do take it for granted I must have had an Authority for it.

Q. Whether you made use at that Time of any such Qualification?

A. I don't recollect I did.

Q. Whether, having excused yourself upon the Weakness and Imperfections of your Memory, your Want of the Power of resorting to Materials, and the Length of Time that has passed since those Transactions, you did not, early last December 1787, apply to a Member of the Secret Committee for Leave to inspect your Books of Correspondence?

A. Yes, I did.

Q. Whether, in consequence of that Application, the Committee did not order that you should be permitted to have Access to, and to take Copies from, your Books of Correspondence, laid before the Committee the last Sessions, upon the Impeachment of Mr. Hastings, and left at the India House?

A. They gave me Permission to inspect them as far as I found necessary.

Q. Did they give you Permission to take Copies?

A. I do not recollect whether the Permission expressed that; but I imagine it did.

Q. Whether you did not know that an Impeachment against Mr. Hastings was depending in the House of Commons, in which those Treaties were charged as existing?

A. I heard there was an Impeachment depending before the House of Commons, but I cannot say I remember particularly the Articles of it.

Q. The Question is, Whether you remember that one of the Articles turned upon the Existence of the Treaty with the Elder Begum, or not?

A. Not that it turned upon the Existence of the Treaty with the Elder Begum; but with the Younger Begum, certainly.

Q. Whether you were not employed in drawing up or furnishing Materials for an Answer to that very Charge?

A. I believe I informed your Lordships Yesterday, that I did furnish some Materials to Major Scott respecting that Article of the Charge.

Q. Do you remember whether any of the Materials related to this particular Point of the Treaty with the Elder Begum in that Article of the Charge?

A. I do not recollect particularly; but I take it for granted they did.

Q. (*from a Lord.*) Whether you have ever read that Article of the Charge?

A. Yes, I have.

Q. (*from a Manager.*) Was you consulted upon drawing up any Part of Mr. Hastings's Defence as presented to the House of Lords.

I do not recollect I was; I informed your Lordships Yesterday that I was occasionally at Drapers Hall, and that the first Time I went there was by Accident. I think it necessary to confirm that Declaration to your Lordships, and to inform you how it arose: the Occasion of my Visit there was from a Note that came from Major Scott (Mr. Hastings at this Time was not in London, but in Scotland)—Major Scott informed me that Mr. Hastings's Business was going on at Drapers Hall—that they were preparing for the Trial at Drapers Hall, and whenever I went into the City he wished me to call in there—The first Time I did go into the City I did call in, as he had desired, at Drapers Hall.

Q. (*by the Managers.*) Whether a Visit in consequence of a written Appointment and Note, is your Idea of an accidental Calling? Whether that was the Idea you meant to convey of an accidental Calling by a Note from Major Scott informing you that Mr. Hastings's Business was going on?

A. Yes; it requesting I would call in whenever I went into the City.

Q. That was what you meant by an accidental Calling?

A. Yes.

Q. How soon was your first Visit into the City after you received that Note from Major Scott?

A. I do not recollect, but I think it was some Days after.

Q. Whether you do not know that Major Scott was the professed Agent of Mr. Hastings?

A. I did not know that he was the professed Agent of Mr. Hastings; I knew he was a Friend of Mr. Hastings, and attended there to assist Mr. Hastings's Business all in his Power.

Q. Whether you do not know that Major Scott came over from India to be the Agent of Mr. Hastings in England?

A. I have

A. I have heard so; but I suppose, of course, Major Scott's Agency ceased upon Mr. Hastings's own Arrival in England.

Q. Whether the Witness did not go to Drapers Hall with Mr. Scott the first Time?

A. I do not believe I did, but I cannot say positively—I do not believe I did.

Q. I understand Mr. Smith has a House at Drapers Hall?

A. Yes.

Q. He lives there?

A. Yes.

Q. Did you go to his House?

A. Yes.

Q. And who did you inquire for?

A. I generally inquired for Major Scott.

Q. When you went to Mr. Smith's at Drapers Hall, did the Conversation, or not, turn upon the Subject of this Charge at any of the Times?

A. No doubt, it did every Time I went there.

Q. How did it happen, that frequently conversing upon this important Subject, which was a Matter of Charge before this Court, you never took any Means of refreshing your Memory till this Morning? Did you take any Means to refresh your Memory till this Morning?

A. I do not recollect particularly; I saw all the Papers and Books from Time to Time, with respect to this Business, at Drapers Hall.

Q. (*from Counsel.*) With regard to the Books you have mentioned, whether they were public or private Letters which the Honourable Committee took under their Charge?

A. They were Copies of public Letters, I believe.

Q. Were those Copies of Letters that were before the Committee of the House of Commons, Copies that were made by you, or who were they made by?

A. They were made by me, or by Persons employed by me.

Q. Do they also appear upon the Bengal Consultations?

A. I believe they do.

Q. Whether the Books were the Property of the East India Company, or your own Books: Were they Copies for your own Use, or for publick Authority?

A. Copies taken for my own Use.

Q. How came you dispossessed of them?

A. They were produced by me to the Committee of the Honourable House of Commons, who detained them.

Q. Do you mean the Committee of Managers, or the Committee of the whole House of Commons?

A. The Committee of the whole House.

Q. Were they deposited with the Committee of the whole House at your Desire, or by the Authority of the House?

A. I was required by the House to bring them, which I complied with, and they were left there.

Q. Did you desire to have them back?

A. Not formally.

The Counsel for the Defendant acquainted the House, that as they understood the Witness was to be called again by the Managers for the Commons, they would defer their Examination of him till such Time as the Examination on the Part of the Managers for the Commons was fully closed.

Q. (*by the Managers.*) Whether the Witness had any Access to those Papers while they continued in the Custody of the House of Commons, and whether he had not Permission to examine them?

A. I have already informed your Lordships I had such Permission from the House of Commons.

Q. Whether you had not Access to them previous to the Time of their being referred to the Committee of the Managers upon this Impeachment?

A. It is impossible for me to say when they were referred to the Committee of the Managers; upon my first Application, Mr. Burke, One of the Honourable Managers, gave me Permission to have Access to them whenever I pleased.

Q. Whether you had not Access to them whilst they were in the Custody of the Clerk who keeps the Papers of the Committee of the Whole House ?

A. I had Access to them.

The Witnesses was directed to withdraw.

Then the Managers for the Commons acquainted the House, they had now closed their Evidence, so far as it related to the Rights of the Begums, and the Guarantee of the Company ; and they should now proceed to the Infractions of those Rights : For the better understanding of which it would be necessary previously to explain the preliminary Steps and whole Conduct of Mr. Hastings, with respect to the Nomination of Mr. Middleton to be the Resident, and in fact his private and confidential Agent, at the Nabob's Court at Lucknow.

Then Mr. Hudson, being again called in, produced Book 106, intituled, " Bengal Secret Consultations, from the 25th October to the 28th December 1774."

Read, Extract of a Consultation of the 25th October 1774, beginning at Page 39 of the said Book.

" Fort William, the 25th October 1774.

" At a Council ; Present,

" The Honourable Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis,

" The Board proceed to the Consideration of that Part which respects the Political State of Affairs in India.

" Read the General Letters of last Year to the Court of Directors as far as relate to the Treaty of Benaras and the Rohilla Expedition.

" Read the Treaty of Banaras, and the Vizier's Requisition for the March of the Brigade.

" Read the Governor's Report on his Return to Banaras.

" The Commander in Chief proposes, that the Governor General be desired to lay before the Board his original Correspondence with the Resident at the Vizier's Court, and with Colonel Champion commanding the Troops acting in Conjunction with the Army of the Vizier.

" The Governor observes on this Proposition, that he will lay before the Board all such Extracts of the Resident's and Colonel Champion's Letters as regard the Conduct of Public Affairs ; but as they may contain many Things in the Course of a free and personal Communication, which might not be proper for a public Record, and as he believes that many of them do contain such, he begs leave to decline laying the original Letters, or the Whole of the Correspondence, before the Board.

" The General, in Reply to the Governor, offers the following for the Consideration of the Board.

" In order that the Board may judge of the Nature and Extent of the Engagements which have been contracted with Suja Dowla, and how far they have been fulfilled by the taking of Puttergur, and by the entire Reduction of the Rohillah Country, and with a View to our claiming the 40 Lacks of Rupees stipulated by those Engagements, and consequently whether it will be proper to send an Order for the immediate Recall of the Brigade, or to leave it there, till Suja Dowla pleases to send it back, it appears absolutely necessary that the Whole of Mr. N. Middleton's and Colonel Champion's Correspondence, which the late President maintained with them, they being both employed on a Public Service, should be communicated to this Board ; and for the Reasons above stated he moves, That the Governor be desired to lay the Whole of the Correspondence with the Resident and Colonel Champion, according to his first Proposal, before the Board.

" The Majority of the Board agree in the General's Proposition, and resolve, That the Governor be desired to give in the Letters moved for by the General accordingly.

" The Governor enters his Dissent to this Resolution of the Board, for Reasons which he will deliver in Writing To-morrow (a)."

(a) Vide Appendix, N° XXVIII.

Read also, the following Extract of a Consultation of 26th October 1774, beginning at Page 47 of the same Book.

“ Fort William, the 26th October 1774.

“ At a Council; Present,

“ The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis,

“ The Governor delivers in the Minute in Dissent to the Resolution of the Majority of the Board Yesterday, which he then promised, as follows:

“ I dissent from the Resolution of the Board, because I do not think the Whole of the Correspondence which the Commander in Chief desires to have laid before the Board, is necessary for their Information, and because, as I have already declared, there are several Parts of Mr. Middleton's, which comprehend an unreserved, and confidential Communication of his Opinion, and of such Occurrences as he judged necessary for my private Information, entered into, and carried on by him, on my repeated Assurances that I would not reveal any Part of his Correspondence, which might subject him to ill Will or Inconvenience.

“ That I had a Right to give Mr. Middleton such Assurances at the Time I delivered him his Instructions, cannot be doubted; and it will be found perfectly consonant to the Trust reposed in me by the Administration. It was the Condition and express Declaration of the Board in his Appointment, that he should be my Official Agent in the Maintenance of that Intercourse with the Vizier, which the Honourable Company had committed especially and solely to my Charge, and for which I alone was responsible; such were the Ideas and the Practice, with no Exceptions which could invalidate the Rule, of every Administration in Bengal, from the Year 1757 to the Dissolution of the late Government, and I will venture to appeal to the Members of the last Council, whether they did not understand that I was allowed to employ the Services of Mr. Middleton with the Latitude I have described.

“ If the Latitude allowed to me in the Exercise of these Constitutional Powers by the former Administration, should be deemed under the New Government too extensive, it depends on them to retrench it; but I conceive that Engagements of whatever Nature contracted by me during that Period, understood to be consistent with the Rules of the Service, and the Powers vested in me, can lose no Part of their Obligation by a Change of Government. If these Engagements were legal, no Power on Earth can authorize me to violate them; much less shall I submit to an *ex post facto* Law of so sudden Formation: if they were not legal, I shall patiently submit to the Censure of those to whom only I am accountable.

“ I must be permitted further to observe, That to me the whole Proceeding in this Business carries the Air of an Inquisition into my personal Conduct, in my Negotiations with the Vizier. After having solemnly declared to the Board, that I would lay before them every Part of the Correspondence required, which could give any Information upon Public Affairs; without waiting for this Communication, without knowing whether it would furnish them with every Light that could be desired, or whether any Chasm would be found in the Intelligence, for want of the Rest of the Correspondence, they arbitrarily resolve, That I should expose to them all the Minutes of a confidential Correspondence, and betray into public Record the unreserved Opinions of a young Man, hazarded only on the most sacred Assurances of Secrecy, from the only Person to whom he looked upon himself as accountable in that immediate Duty. I must declare, that I regard this as prejudging a Matter not yet completely laid before the Board, merely to convey a Censure on my former Administration, in the Branch of Correspondence with the Foreign Powers, and to introduce the Change proposed with every Circumstance of Mortification to me.

“ I will conclude with a few Words, which I think necessary, respecting Mr. Middleton, for obviating any Construction to his Prejudice which may be drawn from what I have said of the secret Nature of Part of his Correspondence. I therefore now declare, that I never either expected or received from him any Information respecting Individuals, which the strictest Honour could not justify, nor has he ever conveyed to me an Opinion or a Word reflecting upon the Character of any Gentleman in the Service, unless the Letters which I shall lay before the Board shall be construed to have such Tendency. As to the rest, I am certain that the whole of Mr. Middleton's Management, including even his most secret and confidential Correspondence, whenever it shall be publicly known, will reflect Honour, both on his Principles and Abilities, and recommend him to the Notice of his Employers, in a Manner that will be favourable to himself, and do Credit to me in the Choice I made of him.

“ I have now formally to acquaint the Board, that all the Official Letters of Mr. Nathaniel Middleton, and such Parts, even of his Private Correspondence, as I can with Propriety shew, shall be laid before them; a Copy also shall be delivered of my Letters addressed to him, in which I shall observe the same Reservation.

" All Colonel Champion's Official Letters, shall be laid before the Board, with Copies of mine to him if required ; but such as have passed between us as a familiar and friendly Communication, I do not think myself authorized to produce, because they were written only for our mutual Information, and his are expressly marked with a distinct Mode of Address, for those which are intended for Official, and for those which he intended as confidential. I am the more observant of this Rule towards Colonel Champion, because our Correspondence has not been altogether cordial on many Points ; and we have several Times expostulated with each other on these Topics, with the Freedom of private Friends, and in a Style which though decent in every Degree, is yet different perhaps from the formal Addresses of Official Correspondence.

" (Signed)

Warren Hastings."

" The General thinks it proper to protest against the Governor's Refusal to deliver up the Whole of the Correspondence, and will deliver his Reasons in a Minute To-morrow.

" Colonel Monson the same ; and

" Mr. Francis the same.

" Colonel Monson proposes the following Question to the Board :

" Whether or not Mr. Middleton should be continued Resident at the Court of the Vizir, the Governor having refused to lay before the Board the Whole of his Correspondence ?

" This Question being accordingly put ;

" Mr. Francis thinks that he should not be continued.

" Mr. Barwell thinks that it would be improper to remove him at this Juncture.

" Colonel Monson thinks that Mr. Middleton should not be continued there.

" The Commander in Chief also thinks that he ought not to be continued.

" The Governor objects to the Removal of Mr. Middleton.

" Resolved by the Majority of the Board, that Mr. Nathaniel Middleton be not continued Resident at the Vizir's Court.

" The Governor enters the following Dissent to this Resolution :

" I dissent from the Resolution of the Majority of the Board, for the Dismissal of Mr. Nathaniel Middleton from his Employment ; and I hereby enter my solemn Protest against all the Consequences of so violent a Measure, which proclaims to all the Powers of Hindostan, in almost the first Public Act of the new Administration, the total Abolition of the Authority which they have hitherto seen exercised by me, either in Person or through my Official Agent, as the first and executive Member of the Government of Bengal, an Authority which has been confirmed to me, by an Act of the British Legislature, and especially assigned me by the Instructions of the Honourable the Court of Directors, in the Clause appointing me the sole Channel of Correspondence with the Princes and Powers of India.

" (Signed)

Warren Hastings (a)."

Then the Witnesses delivered in Book 39, intituled, " Bengal Secret Council."

Read, the following Extract of a Consultation of the 2d December 1776, beginning at Page 613 of the said Book.

" Fort William, the 2d December 1776.

" At a Council ; Present,

" The Honourable Warren Hastings, Governor General, President ;
General Clavering,
Richard Barwell, } Esquires.
Philip Francis, }

" The Governor General moves, That Mr. John Bristow be recalled from the Court of the Nabob of Oude, and that Mr. Nathaniel Middleton be restored to the Appointment of President at that Court (b).

Read, also, the following Extract from the same Consultation, beginning at Page 631 of the same Book.

" Resolved, that Mr. John Bristow be recalled to the Presidency from the Court of the Nabob of Oude, and that Mr. Nathaniel Middleton be restored to the Appointment of Resident at that Court, subject to the Orders and Authority of the Governor General and Council, conformably to the Motion of the Governor General (c)."

Then the Witnesses produced Book 108, intituled, " Bengal Dispatches, 31st January 1776 to 28th November 1777."

(a) Vide Appendix, N° XXIX.

(b) Vide Appendix, N° XXX.

(c) Vide Appendix, N° XXXI.

Read,

Read, the following Extract of a Letter from the Court of Directors to the Governor General and Council in Bengal, 4th July 1777; beginning at Page 693 of the said Book.

11. " Upon the most careful Perusal of your Proceedings of the 2d December 1776, relative to the Recall of Mr. Bristow from the Court of the Nabob of Oude, and the Appointment of Mr. Nathaniel Middleton to that Station, we must declare our strongest Disapprobation of the Whole of that Transaction.

12. " We observe that the Governor General's Motion for the Recall of Mr. Bristow, includes that for the Restoration of Mr. Nathaniel Middleton; but as neither of those Measures appear to us necessary, or even justifiable, they cannot receive our Approbation.

13. " With respect to Mr. Bristow, we find no Shadow of Charge against him. It appears that he has executed the Board to the entire Satisfaction even of those Members of Council who did not concur in his Appointment. You have unanimously recommended him to our Notice; Attention to your Recommendation has induced us to afford him Marks of our Favour, and to reannex the Emoluments affixed by you to his Appointment, which had been discontinued by our Order. And as we must be of Opinion, that a Person of acknowledged Abilities, whose Conduct has thus gained him the Esteem of his Superiors, ought not to be degraded without just Cause, we do not hesitate to interpose in his Behalf, and therefore direct that Mr. Bristow do forthwith return to his Station of Resident at Oude, from which he has been so improperly removed (a)."

Then the Witnesses produced Book 79, intituled, " Bengal Council, 26 September to 14 November 1780."

Read, the following Extract of a Consultation of 2d October, beginning at Page 61 of the same Book.

" Fort William, 2d October 1780.

Pub. Dept.
Monday.

At a Council; Present,
The Honourable Warren Hastings, Governor General, President.
Philip Francis,
Edward Wheler, } Esquires.
Lieutenant General Sir Eyre Coote K. B.

Motion from
Mr. Francis,

" Mr. Francis moves, That the 11th, 12th, and 13th Paragraphs of the Company's general Letter of the 18th July 1777; and the 149th Paragraph of the general Letter of the 23d December 1778, be now read.

" Read, the abovementioned Paragraphs of the Company's general Letters of the 18th July 1777, and 23d December 1778.

for the Re-appointment of
Mr. Bristow
at Lucknow.

" Mr. Francis moves, That in Obedience to the Company's Orders, Mr. Bristow be forthwith appointed, and directed to return to his Station, of Resident at Oude; and that Mr. Purling be ordered to deliver over Charge of the Office to Mr. Bristow, immediately on his Arrival, and return himself forthwith to the Presidency.

" Also, That the Governor General be requested to furnish Mr. Bristow with the usual Letter of Credence to the Nabob Vizier."

Read also, from the same Consultation, Extract of the Governor General's Minute, beginning at Page 64 of the said Book.

" I will ask, Who is Mr. Bristow, that a Member of the Administration should, at such a Time, hold him forth as an Instrument for the Degradation of the First executive Member of this Government? What are the professed Objects of his Appointment? What are the Merits and Services, or what the Qualifications which entitle him to such an uncommon Distinction?—Is it for his superior Integrity, or from his eminent Abilities, that he is to be dignified at such Hazards of every Consideration, that ought to influence Members of this Administration? Of the former I know no Proofs; I am sure that it is not an Evidence of it, that he has been enabled to make himself the Principal in such a Competition: and for the Test of his Abilities, I appeal to the Letter which he has dared to write to this Board, and which I am ashamed to say we have suffered. I desire that a Copy of it may be inserted in this Day's Proceedings; that it may stand before the Eyes of every Member of the Board, when he shall give his Vote upon a Question for giving their Confidence to a Man, their Servant, who has publicly insulted them, his Masters, and the Members of the Government to whom he owes his Obedience; who, assuming an Association with the Court of Directors, and erecting himself into a Tribunal, has arraigned them for Disobedience of Orders, passed Judgement upon them, and condemned or acquitted them as their Magistrate and Superior. Let the Board consider, whether a Man, possessed of so independant a Spirit, who has already shewn such a Contempt of their Authority, who has shewn himself so

(a) Vide Appendix, N^o XXXII.

wretched an Advocate for his own Cause, and Negotiator for his own Interest, is fit to be trusted with the Guardianship of their Honour, the Execution of their Measures, and as their confidential Manager and Negotiator with the Princes of India (a)."

Read, also, a further Extract of the said Minute, beginning at Page 70 of the said Book.

"The Removal of Mr. Middleton, my Agent at the Court of the Nabob of Owde, was the first Act of a Majority of this Administration, in the Year 1774, to proclaim the Annihilation of my Authority; and the Effect most completely answered that Intention; for, from that Moment, I was considered, both at the Court of Owde and in every other Court which had any Connection with this Government, in no other Light than as the constrained Instrument of exercising an Authority, which had been established on the Ruins of my own. Such must be the evident Effect of the present Question, if it shall be carried against me (b)."

Read, also, from the same Book, Extract of a Consultation of the 3d of October 1780, beginning at Page 95 of the same.

"Fort William, 3d October 1780.

"At a Council; Present,

"The Honourable Warren Hastings, Governor General, President;

Philip Francis, } Esquires;
Edward Wheler, }

Lieutenant General Sir Eyre Coote, K. B.

Pub. Dept.
Tuesday.

"The Governor General delivers in the following Minute:

"I cannot, consistently with what I consider due to the Dignity and Authority of my public Station, and to my own Character and Feelings as a Man, consent to affix my Signature to the Letters of Credence or Instructions of Mr. Bristow, as Resident at the Court of Oude. The Court of Directors, after having, in their first Instructions to this Government, expressly enjoined every Member of the Board not only to be guided by the Voice of the Majority, but also to subscribe to all Letters, Orders, Acts, and Measures, resulting from the Decisions of such Majority, have since thought proper to compliment General Clavering and Mr. Francis upon their Departure from this Rule, in Instances where their Sentiments have not accorded with those of the other Members of the Board. This will be a Justification to me in the Resolution I have taken; for whatever Law is binding an ^{*} Member of the Administration, must certainly be so to the Whole; and although it is a Latitude I neither approve or should in general wish to avail myself of, yet in this very particular Instance I trust I shall stand acquitted, not only to my Employers, but to the whole World. I must therefore desire that the Board will devise some other Means of notifying Mr. Bristow's Appointment to the Vizier; and as they have thought it incumbent on them, as a Point of official Duty, to revive and put in Force an antiquated Order of the Court of Directors in Favour of Mr. Bristow, which, for the Reasons assigned in my Minute of Yesterday, will necessarily be considered by all the Country Powers as a Supercession of my Authority, I am yet willing to hope that the Board will not only listen to, but afford me their Support, in a Motion which I shall beg Leave to make, with a View to repair the Injury which I conceive my public Station has sustained, and avert in some Degree the prejudicial Effects which this Measure cannot fail to produce on our Affairs.

* See in Orig.

"I propose that Mr. Bristow's Appointment be limited solely to the Conduct of such political Negotiations, Correspondence, and Transactions, as this Government may now, or at any future Period, be engaged in with the Vizier, and in no Shape whatever to interfere in any Matters respecting our pecuniary Engagements with his Excellency. That a separate Agent be appointed by us to that Trust, whose Duty it shall be to receive, collect, and manage the Tuncaws, or Assignments, which have been, or may hereafter be, granted by the Nabob for the Liquidation of the Claims of this Government upon him. That he be entrusted with the Adjustment of all Accounts relative to these Claims with the Nabob, and his Ministers, with all Disbursements to the Paymasters of the Company's Troops stationed in the Dominions of the Vizier; as also to his Excellency's own Military Establishment under British Officers, &c. remitting the Residue of his Collections immediately to us, and that he be directly amenable to our Authority and Orders, and in no Respect whatever dependant on, or connected with the Office of the Resident: And as Mr. Purling cannot continue with a diminished Commission, and as it now becomes more than ever necessary that I should have a Person in Station in those Provinces, not only in whom I can confide, but who is publickly known to be attached to me, I propose Mr. Middleton for the above Office, hoping to meet with the Concurrence and Support of the Board.

Sir Eyre Coote.—I agree to the Governor General's Proposal of the Appointment of Mr. Middleton to the Office mentioned, not because Mr. Purling may not continue at Lucknow with

Debates.

(a) Vide Appendix, N° XXXIII.

(b) Vide Appendix, Ibid.

a diminished Commission, but because Mr. Nathaniel Middleton is a Person publicly known to be attached to the Governor General. The Necessity of the Times requires an Appearance of that kind.

Mr. Wheler.—I object to the Question.

Mr. Francis.—The Office described in the Motion, is the same which Mr. Bristow held before, and which has been held since, by Mr. Middleton and Mr. Purling. I know no Reason why it should be diminished, and so materially altered when it is given to Mr. Bristow. I therefore cannot consent to the Proposition. At the same Time, it is a Matter of Indifference to me, by whom the Duties proposed to be vested by Mr. Middleton are exercised.

“ The Governor General’s Motion carried in the Affirmative.

“ Resolved accordingly, That Mr. Bristow’s Appointment be limited solely to the Conduct of such political Negotiations, Correspondence, and Transactions, as this Government may now, or at any future Period, be engaged in with the Vizier; and that he, in no Shape whatever, interfere in any Matters respecting our pecuniary Engagements with his Excellency.

“ Resolved, That Mr. Nathaniel Middleton be appointed Agent on the Part of this Government for receiving, collecting, and managing the Tuncaws or Assignments which have been or may be granted by the Nabob, for the Liquidation of the Claims of this Government upon him; that he be entrusted with the Adjustment of all Accounts relative to these Claims with the Nabob and his Ministers, with all Disbursements to the Paymasters of the Company’s Troops stationed in the Dominions of the Vizier, as also to his Excellency’s own Military Establishment, under British Officers, &c. remitting the Residue of his Collections immediately to us; and that he be directly amenable to our Authority and Orders, and in no Respect whatever dependant on or connected with the Office of Resident.

“ Mr. Francis moves, That as the Governor General declines signing the Letter of Credence for Mr. Bristow, Mr. Bristow’s Appointment may be communicated to Mr. Purling by the Board, with Directions to make it known to the Vizier.

“ Agreed to.

“ Ordered, That Mr. Charles Purling be directed to deliver over Charge of all the Papers of the Office hitherto held by him, which have a Relation to the Office to which Mr. Bristow has been appointed, to Mr. Bristow; and that he be directed to deliver over Charge to Mr. Nathaniel Middleton of all the Papers and Accounts of the Office hitherto held by him, which have a Relation to the Office to which Mr. Middleton is appointed, together with the Balance of Cash in his Hands (a).”

Then the Witnesses produced Book 35, intituled, “ Bengal Secret Council, 2d April to 14th June 1781.”

Read, Extract of a Consultation of 21st of May 1781, beginning at Page 1305 of the said Book.

“ Fort William, 21st May 1781.

“ At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

and

Edward Wheler Esquire;

Lietenant General Sir Eyre Coote, K. B. absent on Command at the Presidency of Fort St. George.

“ The Governor General finds himself under the disagreeable Necessity of reviving the Subject of Mr. Bristow’s Appointment of Resident at the Court of the Nabob of Owde, and of moving that he may be recalled. His general Reasons for this Motion have been recorded very fully in various Parts of the Consultations, and particularly in those of the 2d and 3d of October, and the 14th of January last. To these a recent Motive is added in the Necessity of removing every Circumstance which may contribute to lessen his Influence on the Effect of any Negotiations in which he may be engaged in the Prosecution of his intended Visit to Lucknow, and in the accompanying Letters just received from the Nabob Vizier to the Governor General, and to his Minister Raja Govindram.”

“ Agreed to the Governor General’s Motion, and ordered accordingly (b).”

Then the Witnesses produced Book 42, intituled, “ Bengal Dispatches.”

Read, Extract of a Letter from the Court of Directors to the Board at Calcutta, dated the 28th August 1782.

Mr. John
Bristow.

“ Equally extraordinary and unwarrantable have been your Proceedings respecting Mr. John Bristow.

(a) Vide Appendix, N^o XXXIV.

(b) Vide Appendix, N^o XXXV.

" He was appointed Resident at Owde in December 1774. In December 1776 he was recalled without the Shadow of a Charge being exhibited against him. By our Letter of 4th July 1777, we signified our Disapprobation of the Proceedings against Mr. Bristow, and directed that he should be restored to his Station; which Direction we confirmed by our subsequent Letter of the 23d December 1778. Mr. Bristow arrived in India in February 1780, and in October of the same Year, it was resolved by your Board, that Mr. Bristow should return to Owde; but that his Appointment should be limited solely to the Conduct of Political Negotiations; Mr. Middleton being at the same time nominated to settle pecuniary Matters with the Vizier. On the 21st of May 1781, upon receiving a Letter from the Vizier, expressing his Desire, that Mr. Bristow should be removed from his Court, he was again recalled. But without entering into the Consideration of this Matter, and in order to vindicate and uphold our own Authority, we do hereby positively direct, that Mr. Bristow do forthwith proceed to Owde, in the Station of our Resident there. We do not mean in the least to reflect on the Character and Ability of Mr. Middleton, who must be immediately recalled from thence; but it is a Duty incumbent upon us, thus to maintain the Respect due to the Orders of the Court of Directors. You are likewise to observe, that we shall not suffer any other Person to proceed to Oude, for the Management of the Finance, one Person being in our Opinion sufficient to transact our Business there, as Principal in both those Departments; and we expect our Orders respecting the Succession to that Residency be fully complied with."

Approbation,
Lords of
Treasury, 3d
August 82,
Secy. State,
14th July.

(Signed at the End).

Then the Witnesses produced Book 62, intituled, "Bengal General Council, from the 16th September, to the 28th October 1782."

Read, Extract of a Letter from the Governor General to the Board at Calcutta, from a Consultation held on the 23d September 1782, beginning at Page 58 of the said Book.

" At a Council; Present,
Edward Wheeler, and } Esquires.
John Macpherson,
The Governor General indisposed.
Lieutenant General Sir Eyre Coote absent on Command, at Fort St. George.

" Fort William, 23d September 1782.

Pub Depart.
Monday.

" Extract of a Letter from the Governor General to the Council, dated 22d September 1782.

" Upon the same Occasion I observed to you, that the Obstacle which opposed itself to the Nomination of Mr. Bristow to the Residency at Oude, no longer existed; it was removed by my having vindicated what must ever be esteemed one of the necessary Privileges of this Government. I had the Pleasure of finding, upon the most impartial Enquiry, that the Conduct of Mr. Bristow during his former Residence at the Court of the Vizier, had been proper and attentive. I accordingly wished to recommend him to succeed the present Resident, provided the Vizier had no reasonable Objections to his Appointment (a).

(Signed at the End).

Then the Witnesses produced Book 80, intituled, "Bengal Secret Council, 1st April to 29th May 1783."

Read, Extract of the Governor General's Instructions to Mr. Bristow, dated Fort William, 23d October 1782, and entered upon a Consultation of 21st April 1783, beginning at Page 304 of the said Book.

" Fort William, 21st April 1783.

" At a Council; Present,
" The Honourable Warren Hastings, Governor General, President;
Edward Wheeler } Esquires.
John Macpherson }
John Stables,
Sir Eyre Coote gone to Fort St. George.

" I do Justice to my Sense of your Character, in declaring my entire Reliance on your Prudence and Integrity, and to these I trust for your Deviation from any Part of these Instructions, at your Discretion, in any Instance which shall appear to you necessary to require it; desiring however, as a proper Caution, that, as much as you can, you will leave the Subject free for my Correction of it; and instantly inform me, or the Board, according to the Degree of its Importance, that you have acted in such Manner, with your Reasons for it (b).

" Fort William,
23d October 1782.

" I am, Sir,
Your most obedient humble Servant,
" (Signed) Warren Hastings."

(a) Vide Appendix, N^o XXXVI.

(b) Vide Appendix, N^o XXXVII.

Then the Managers for the Commons acquainted the House, that they had thought proper to trace, and to submit to the House, the Steps with which the Defendant appeared to have pursued one Object indefatigably, namely, that of appointing Mr. Middleton to be his private confidential Agent at Lucknow, in order to fix the Responsibility afterwards upon the Defendant himself; and desired Leave to observe, that the Moment in which he proposed to recall Mr. Bristow, and to deliver the Whole of the Papers to Mr. Middleton, was the Day upon which he himself proposed to leave Calcutta and go to Oude. They would next proceed to shew the Light in which the Defendant wished Mr. Middleton should be considered at the Court of the Nabob at Lucknow.

Then the Witnesses produced Book 109, intituled, "Bengal Persian Correspondence, Letters sent from the 6th January 1774, to the 31st December 1777."

Read, Extract of a Letter from the Governor General to the Mother of the Nabob Afoph ul Dowlah, dated the 18th December 1776, beginning at Page 287 of the said Book.

"To the Mother of the Nabob Afoph ul Dowlah. Written the 18th December 1776.

"Mr. Middleton is going, on my Part, to reside with the Vizier. I have recommended to his strictest Attention whatever you may wish to have effected; I beg you will regard whatever he may represent to you as coming from myself; and I do not doubt but that, by his good Offices, he will be able to accomplish what I have greatly at Heart—the Re-establishment of Confidence and Affection between you and the Vizier your Son."

Read also, a Letter from the Governor General, to the Nabob Afoph ul Dowlah; dated 26th December 1776, beginning at Page 288 of the same Book.

"To the Nabob Afoph ul Dowlah, written 26th December 1776.

"As it is the Object of my Wish and daily Study to encrease and strengthen the Friendship which subsists between your Excellency and the English, my own Friendship being so perfect as not to admit of any Addition, I have sent Mr. Nathaniel Middleton, a Gentleman who was formerly stationed with your Father, the late Nabob Shuja ul Dowlah, to your Excellency. He will reside with you in the Place of Mr. Bristow, who will desire your Leave to return. I request that you will honour him with your Confidence and Regard, and communicate with him freely and without Reserve, considering whatever he may advance as proceeding immediately from myself. I hope that you will favour and befriend him, as it will give me Pleasure."

The Managers for the Commons acquainted the House, they should next read Two short Extracts, to shew that where the Board had directed a Communication to be made to the Nabob officially, and in publick, Mr. Hastings referred the Vizier to a private Explanation and Communication through Mr. Middleton, as to Matters which were not possible to be explained by publick Letters, which Explanation therefore he must have given by Letter to Mr. Middleton.

Then the Witnesses produced Book 110, intituled, "Bengal Secret Consultations."

Read, Extract of a Consultation of 4th August 1777, beginning at Page 343, of the said Book.

"Fort William, the 4th August 1777.

"At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

Lieutenant General Sir John Clavering K. B.

Richard Barwell,

Philip Francis,

} Esquires.

"Agreed, That the Governor General be requested to write to the Nabob of Oude, in reply to his Letter approving the Plan recommended to him in May last, for the Arrangement and Alteration of the Establishment of his Troops, under the Command of British Officers; and that he acquaint him that the President has in consequence made such Regulations and Appointments, as were necessary for carrying it completely into Execution; the Particulars of which will be communicated to him by Mr. Middleton."

Read also, Extract of a Consultation of the 7th August 1777, beginning at Page 358 of the said Book.

"Fort

" Fort William, the 7th August 1777.

" At a Council; Present,

" The Honourable Warren Hastings, Governor General, President;
Lieutenant General Sir John Clavering,
Richard Barwell, } Esquires.
Philip Francis, }

" Resolved also, that the following Letter be written to Mr. Middleton.

" Sir,

" In consequence of the Nabob's Approbation of the Plan, which we recommended to him in May last, for the Arrangement and Alteration of the Establishment of his Troops, under the Command of British Officers, we have made such further Regulations and Appointments as were necessary for carrying it completely into Execution, and inclose you a Copy of them, to be communicated to the Vizier."

Read, from Book 109, already delivered in, Extract of a Letter from the Governor General to the Vizier, dated the 8th of August 1777, beginning at Page 344 of the said Book.

" To the Vizier.

Written 8th August 1777.

" In consequence of your Excellency's Approbation of the Plan which I some Time ago proposed to you, for the Arrangement and Alteration of the Establishment of your Troops under the Command of British Officers, such further Regulations and Appointments have been made as were necessary for carrying it completely into Execution.

" As the Particulars of this Arrangement can be more clearly explained to you by Word of Mouth, I beg Leave to refer you for them to Mr. Middleton, who has received full Instructions on this Head."

Then the Witnesses produced Book 111, intituled, " Bengal Persian Publick Correspondence, sent 8th February to 31st December 1780."

Read, Extract of a Letter from the Governor General to Hyder Beg Khan, dated 26th April 1780, beginning at Page 13 of the said Book.

" To Hyder Beg Khan. Written the 26th April 1780.

" I have been favoured with several Letters from you, which Hurry of Business prevented my acknowledging sooner. I cannot conceal from you, that my Feelings have been much hurt by some Parts of the Nabob's Conduct, which, I was led to believe, proceeded, in a great Measure, from your Advice; but Mr. Middleton having explained to me some Matters which before appeared to me in a different Point of View, I am happy to assure you, that the unfavourable Impressions I conceived of your Conduct, are now in a great Measure removed."

The Managers for the Commons stated, that in this Evidence they particularly wished to shew the peculiar Responsibility Mr. Hastings took upon himself, when he appointed Mr. Middleton, and the Terms upon which he appointed him, to the Court of Lucknow; they should prove, by several Instances, that Mr. Hastings made a very proper Choice for his Purpose, and found a Person who perfectly understood the Object for which he was Agent, as would appear from Two short Passages they should next produce to the House for this Purpose.

Then the Witnesses produced Book 82, intituled, " Bengal Secret Council, 2d June 30th D^o 1783."

Read, Extract of a Letter to Mr. Hastings, dated Lucknow, 30th December 1781, and signed Nath. Middleton, from a Consultation of 12th June 1783, beginning at Page 203 of the said Book.

" Fort William, 12th June 1783.

" At a Council; Present,

" The Honourable Warren Hastings, Governor General, President.
Edward Wheler, }
John Macpherson, } Esquires.
John Stables, }

" My Dear Sir,

Lucknow, 30th December 1781.

" I have this Day answered your publick Letter in the Form you seemed to expect. I hope there is nothing in it that may to you appear too pointed. If you wish the Matter to be otherwise understood

understood than I have taken up and stated it, I need not say I shall be ready to conform to whatever you may prescribe, and to take upon myself any Share of the Blame of the (hitherto) Non-performance of the Stipulations made on Behalf of the Nabob; though I do assure you, I myself represented to his Excellency and the Ministers, conceiving it to be your Desire, that the apparent Assumption of the Reins of his Government (for in that Light he undoubtedly considered it at the first View), as specified in the Agreement executed by him, was not meant to be fully and literally enforced; but that it was necessary you should have something to shew on your Side, as the Company were deprived of a Benefit, without a Requit; and, upon the Faith of this Assurance alone, I believe I may safely affirm his Excellency's Objections to signing the Treaty were given up. If I have understood the Matter wrong, or misconceived your Design, I am truly sorry for it; however it is not too late to correct the Error; and I am ready to undertake, and, God willing, to carry through whatever you may, on Receipt of my Publick Letter, tell me is your final Resolve.

" If you determine, at all Events, that the Measure of reducing the Nabob's Army, &c. shall be immediately undertaken, I shall take it as a particular Favour if you will indulge me with a Line at Fayzabad, that I may make the necessary previous Arrangements with respect to the Disposal of my Family, which I would not wish to retain here, in the Event either of a Rupture with the Nabob, or the Necessity of employing our Forces on the Reduction of his Aumils and Troops. This done, I can begin the Work in Three Days after my Return from Fayzabad.

" I am, &c. &c.

" Nath. Middleton (a)."

Then the House adjourned to the Chamber of Parliament.

(a) Vide Appendix, N^o XXXVIII.

E R R A T U M.

An Extract read on Thursday, April 24th (the Day immediately preceding), having been omitted by Mistake, it is here inserted with a Reference to its proper Appendix.

The Order in which it was read was, immediately after the Extract from Book 106, "Consultations of the 26th October 1774," ending in Page 507 supra, and before the Extract from Book 39, "Consultation of the 2d December 1776," beginning in the same Page.

Read, also, from the same Book (Book 106), the following Extract of a Consultation of the 21st December 1774, beginning at Page 449.

" Fort William, the 21st December 1774.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis,

Secret Dept.
Wednesday.

" General Clavering now proposes that Mr. John Bristow be appointed Resident at the Vizier's Court, as qualified for it, from his general Knowledge of Business, and his particular Acquaintance with the Persian Language.

" The Governor General objects to this Proposition, because, in his Judgement, Mr. Bristow is not qualified for the Office, neither by his Knowledge of the Persian Language, nor by any distinguished Abilities.

" Agreed, that the Question above proposed by General Clavering be put.

" Mr. Francis delivers the following Reply :

" I am happy in hearing a Gentleman named for this high Office, to whose Appointment I can safely give a positive Approbation. I know him to be a Man of Sense, Industry, and Judgment ; I have positive Reasons to think that he understands the Persian Language, as well from the Assistance he has favoured me with in the Letters I have received and answered, as from his public Office of Translator to the Khalsa : This Office implies, Knowledge of Business, Knowledge of Accounts, and Knowledge of Language. I do not insist upon his English Connections, though, in this Respect, few Gentlemen are better connected than Mr. Bristow. I agree to the Proposition.

(Signed) " P. Francis."

" I beg Leave to explain to the Board, that, by the Word *positive* used in this Minute, I mean no more than a Contradistinction to *negative*, which I had used in my former Minute.

(Signed) " P. Francis."

" Mr. Barwell. I cannot assent to the Nomination of Mr. Bristow, for the following Reasons :

" Because, I think, when a Proposition from the Chair is over-ruled, there ought to be very good Grounds for such a Measure. The Preference given to the General's Nomination, undoubtedly speaks

speaks Inattention to the Governor; besides, in this Particular, I think the Governor should have been considered, as he is the Channel of publick Correspondence, and should be supported, as the Head of this Government, in the Eyes of the Princes of India: This Character he will scarcely maintain, if a Gentleman, in Opposition to his Sentiments, goes the Publick Agent to the Court of the Vizir.

(Signed) " R. B."

" Colonel Monson. I assent to the General's Nomination, as I suppose Mr. Bristow to be a Person qualified for the Trust, from the Station which he now fills.

" The Governor General dissents from the Proposition.

" Agreed, by a Majority of the Board, that Mr. Bristow be appointed Resident at the Court of Suja Dowla (a)."

(a) Vide Appendix, N^o XXXVIII. A.

Die Martis, 29^o Aprilis 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons informed the House, that before they proceeded with an Article of written Evidence, which they were about to submit to the House, they requested Mr. Middleton might be called to hear it read, it being his own Will to have an Opportunity of hearing it read before he spoke to it.

Mr. MIDDLETON was accordingly called in.

Then the Managers for the Commons stated, That the Paper just mentioned was a Third Treaty, and Guarantee, signed by Mr. Middleton, which it was not their Intention originally to have brought forward as Part of their Evidence; but, finding from some Answers of Mr. Middleton on a former Day, that it was extremely material, they would now lay it before the House; and, by Way of Elucidation, first read a Letter from Mr. Middleton to the Board, previous to his going a second Time to Fyzabad in the Year 1778.

Then a Book, intituled, "Letters to the Board from 1777 to 1782," and marked with the Letter B, was delivered in, and acknowledged by the Witnesses to be one of the Books, containing Copies of his publick Correspondence, delivered by him to the Committee of the House of Commons, pursuant to an Order for that Purpose.

Read, the following Extract from the same Book.

"Letter from Mr. Middleton to the Honourable Board.

"Honourable Sir and Sirs,

"I had the Honour to forward you, some Time ago, an Address from Mr. Henry John Chandler, requesting Permission to resign his Station of Assistant to the Resident at this Court; but not having been honoured with a Reply, and the State of Mr. Chandler's Health calling for an immediate Change of Air, I have taken upon me, at his earnest Request, to yield my Consent to his Proceeding within the Company's Provinces, where he will again address the Honourable Board, and wait their Pleasure.

"The growing Differences between the Nabob and the Two Begums, which, * if suffered to continue, might be productive of an irreparable Breach, and ultimately be attended with the most unhappy Effects to the late Nabob's Family. I have thought it the Duty of my Station, to endeavour to avert these Consequences by a timely Mediation. The Honourable Board have already been minutely informed of the several Claims of the Two Begums, which, for the most Part, appear to me founded in Equity; and the Nabob, although formerly averse to complying with them, has of late manifested so strong a Desire to accommodate these Differences, and restore the mutual good Understanding which ought to subsist between him and the Two Begums, that I am inclined to believe he would willingly give up many Points which he has hitherto refused, to effect this Object. I have therefore, at his Excellency's urgent Solicitations, undertaken a Visit to Fyzabad, in the Hope that I may be able to remove those ill Impressions which have naturally arisen from mutual Injuries, and adjust the Preliminaries of a personal Interview, which both Parties appear equally desirous should take Place: This done, the Nabob has given me his solemn Promise, that he will immediately join me at Fyzabad; and I entertain the most sanguine Expectations that it will prove the Means of removing those violent Prejudices and Disgusts which have so long prevailed, to the Destruction of almost every Kind of Intercourse and Connection between them.

" I shall duly inform the Honourable Board of the Result of my Proceedings at Fyzabad, and take no Part officially in any Accommodation or fresh Agreements which may take Place between the Nabob and the Begums, without their previous Sanction and Concurrence.

" Fyzabad,
the 14th September 1778.

I have the Honour to be, &c.

(Signed)

Nathl Middleton."

The Managers for the Commons acquainted the House, That subsequent to the Date of this Letter, Mr. Middleton proceeded a Second Time to Fyzabad; they should therefore next produce the Treaty which he then signed, and the Letter inclosing the Treaty from the Begum, which was sent down afterwards.

The Witnesses produced Book 24, intituled, " Publick Persian Correspondence, Letters received from the 1st of January to the 31st of December 1779."

Read, the following Extract, being a Letter from Omut ul Zahra to Mr. Hastings, beginning at Page 2 of the same Book.

" From Omut ul Zahra, the Daughter of Ameen ul Dowlah

" Ishauk Khan, and Mother of the Vizier.

" Received 1st February 1779.

" I have already transmitted you a Letter, with a particular Relation of the late Transactions here, which you have, I flatter myself, honoured with Perusal, and I shall just now touch on the most material of them.

• Sic in Orig.

" As you wrote me that the Ships were ready, and that I might set off whenever I pleased, relying with the greatest Confidence on this agreeable Intimation, I was more than ever anxious to prosecute my Pilgrimage to Kerbella*, and was preparing to take with me the Corps of the late blessed Nabob, and to begin my Journey, when the Nabob Kukkun ul Dowlah, Mr. Middleton coming here, forbade me to take any Measures for that Purpose, for the Term of 20 Months longer, after which I should meet with no Obstruction in the Prosecution of my Design. I was accordingly under the Necessity of suspending my Journey. After the Period had elapsed, Mr. Middleton came to Fyzabad the first Time the latter End of Shabaun, and informed me, in the Course of a Conversation we held together, that the Settlement of all Matters depended on the Presence of the Nabob Asoph ul Dowlah. Notwithstanding the Displeasure I had conceived against my Son, yet, at Mr. Middleton's Request, I wrote him an Invitation to Fyzabad, and he came accordingly. Two or Three Days were passed in the Duties of Hospitality and reciprocal Acts of Affection. After which my said Son set all the Business aside in the most unkind Manner, and sent me a Message to exchange several Places, and to change the former Engagements between us. Notwithstanding I highly disapproved of the Changes proposed, because the forming Engagements and changing them, ever tends to remove all Confidence and Security in the most solemn Acts, yet, for the Satisfaction of Mr. Middleton, and from a Desire to put an End to all Disputes, I found no other Means but that of submitting in Silence. Akbur Ally Khan was an Eye-witness of the whole Transaction from first to last. By him I send you Copies of the new Engagements; and beg Leave to refer you to him for the full Particulars.

" I swear by all the Saints, that I have no Hopes of obtaining the Accomplishment of my Wishes but in you.—The World affords me no other Protector. If you approve of the aforesaid Treaties, be pleased to affix your own Seal thereto, that I may be freed from all Apprehensions, and receive full Confidence and Satisfaction; for without your Seal I cannot place the smallest Reliance on them. It is necessary that you favour me with a Letter to the Gentlemen residing here, to afford their Support to my Affairs on all Occasions, that so I may have nothing to do with any other Persons, nor they with me; and through your Friendship to me, may pass the short Remainder of my Life in Peace and Tranquillity.—How long is the Corps of the late blessed Nabob to continue here in the Nature of a Deposit?

" I am hopeful that you will send hither Persons of Credit, that I may dispatch the Body with a proper Escort under their Charge to your Quarter; from which, you will cause it to be transported to Kerbella†."

† Sic in Orig.

" Enclosures in the Above.

" Copies of the several Treaties concluded by the Nabob Vizier with his Mother and Mr. Bristow, &c. as Guarantee to them. These having been before translated and entered, it seems unnecessary to enter any at present, except the last; to which Mr. Middleton set his Hand and Seal as Guarantee, as follows.

" Copy of a Treaty, bearing Date the 11th Ramzaun 1192 Hejeree, 3d October 1778, to which Mr. Middleton affixed his Seal.

" The Vizier of the Empire, the Nabob Asoph ul Dowlah Yeyah Khan Huzzebur Jung Bahadre, having given me as Guarantee to the following Treaty concluded with her Highness, I,

I, on the Part of the English Chiefs, deliver this Writing; to wit, That his Highness shall faithfully perform all the Articles of the following Treaty which he has entered into with her Highness the Bhegum. The English Chiefs and myself are Guaranteed for the due Performance of it.

" Whenever her Highness chuses to prosecute her Journey to Kerbella, she is at Liberty to do so, and to go either by Land or Sea, as she thinks proper.

" His Highness shall, without fail, discharge the Tunkas of the small Mahals, and shall fix and pay a suitable Allowance for the Support of the Children of the late blessed Nabob.

" Her Highness, the superior Bhegum, (the Vizier's Grandmother), and her Highness the Vizier's Mother, shall, with the Approbation of his Highness, contract Alliances for the Marriage of the Sons and Daughters of the late blessed Nabob, with whomsoever they judge proper. Should her Highness, the superior Bhegum, proceed on a Pilgrimage to Kerbella and the Holy Places, her Highness is the Mistress to form the Alliances herself, and to conclude the Marriages, with the Approbation of his Highness. The necessary Expences attendant on the Celebration of the Nuptials of the Sons and Daughters of the late blessed Nabob shall be paid by his Highness from his own Treasury. Her Highness, the superior Bhegum, and her Highness, are the Mistresses to contract Alliances for the Sons and Daughters of the late blessed Nabob, with the Approbation of his Highness; but in all other Matters, exclusive of the Nuptials, his Highness is the Master.

" Her Highness shall never be molested in the Enjoyment of the Mahals and Jaghiers in the subjoined List; viz.

Sullore,	1 Mahal Tellore,	1 Mahal.
Dutwa,	1 D ^o Khalis, with the Syer Adawlut,	1 D ^o .
Perfeddepore,	1 D ^o ,	1 D ^o .
Sumideah,	1 D ^o Khorah,	1 D ^o .
Rutth,	1 D ^o Taunnah,	1 D ^o .

" Nabob Gunge, &c. Places mentioned in the following List are to be put into his Highness's Possession, and, in Lieu thereof, his Highness shall deliver to her Highness Places equal to the Amount thereof, in one Spot, to remain in her Highness's Possession. From this Agreement his Highness shall in no-wise deviate.

Nabob Gunge, with the Villages on the other Side of the Kauhra,
Gulla Daug,
Mints of Owde and Fyzabad,
Bhegum Gunge and Gola Gaut,
Garden of Hurry Sing in Oude,
Rowfa Ghaut in Lucknow,
Bhegum Bazar, in D^o,
Garden of Bhara Mull,

Vizier Gunge,
Garden of Noor Ufshaun, Large Rumnah,
Ismael Gunge, Three Cols on this Side Lucknow,
Ismael Gunge at Lucknow,
Gorukpore House,
Bazar of the House of Mahomed Busheer Khan at Fyzabad.

" The Sum of 83,700 Rupees on Account of the Mutiny of the Sepoys, which Mirza Husein Reza Khan, &c. engaged should be discharged by his Highness, his Highness engages to pay in Six Months.

" The Jungle of Khaukra, on the other Side of the River, is in her Highness's Possession.—Should any Disturbance arise therein, his Highness will deliver to her Highness some other Place, to the same Amount, in lieu of the said Jungle.

" The Tunkas of Beney Kanim Sahiba and Nowazulh Ally Khan, commonly called Okka Ally Khan, shall be continued by his Highness on the former Footing, and paid Monthly.—His Highness will likewise make regular monthly Payments of Maellage Khan's Tunka.

" His Highness has given up the Jaghier Villages of Hikmut Husein Khan, and shall not interfere or molest the said Jaghier; he shall likewise pay monthly the Tunkas of the Attendants on the late Nabob's Tomb.

" Moreover, her Highness is the Mistress of the Attendants, and returnal Servants, &c. People dependant on her own Sirkar. His Highness has no Right of Interference with them on the Plea of Accounts, &c. Further, his Highness shall never, at any future Period, desire of her Highness to exchange the Places now included in the Jaghier granted to her.

" Moreover, his Highness shall not, at any future Period, make demand of a Loan, or any other Demand, from her Highness. Further, his Highness shall not, at any future Time, desire from her Highness the Exchange of any Places of the old or new Jaghiers; which old and new Jaghiers were fixed to her Highness in the Exchange lately made by the Nabob.

Moreover, his Highness has given the illustrious English Chiefs, as Guarantees for the due Performance of the above Stipulations, as long as her Highness lives.

I, therefore, on the Part of the illustrious English Chiefs, deliver this written Engagement, that there be no Room for a Change or Failure in the Articles above recited."

" Draft

“ Draft of a Declaration on the Part of the Governor General, to be affixed to the Treaty before recited, requested by the Begum.

“ The Vizier of the Empire of Hindostan, the Nabob Asoph ul Dowlah Yeyah Khan Bahadre Huzzebur Jung, having called on Mr. Middleton to become Guarantee to a Treaty, he has concluded with her Highness the Begum, and that Gentleman having entered into an Engagement conformable thereto, as Guarantee to the said Treaty on the Part of the English Chiefs; I likewise, for the Purpose of giving complete Confidence and Satisfaction to her Highness the Begum, deliver this Engagement under my Hand and Seal, that the Nabob Vizier of the Empire will abide by all the following Stipulations he has entered into with her Highness. I am Guarantee thereto; and no Room is left for the * Deviation from the Articles hereafter recited.”

* Sic in Orig.

Then the following Question was put to the Witnesses :

Q. Did you sign or execute that Treaty ?

A. I did.

Q. What Authority had you for signing and executing that Treaty ?

A. It appeared to me to be so conformable to the former Treaty, to which the English were Guarantee, I conceived the discretionary Power of my Office warranted me in giving my Signature to it.

Q. Had you any express Authority besides what your Discretion prompted you to take ?

A. I recollect a Letter from the Governor General and Council mentioning that it was the Duty of my Office to interfere upon all Occasions between the Nabob and the Begum, where his Excellency should attempt to infringe upon any of the Conditions of the former Agreement guaranteed by the East India Company. The Letter is dated the 23d of March 1778, and I beg Leave to refer to it.

Q. Did you understand that Letter as prohibiting you from executing any Guarantee to the Elder Begum ?

A. To pledge the Faith of the Company, I certainly did. I considered it as a Prohibition to pledge the Faith of the Company to any Agreement with the Elder Begum.

Q. Upon what Authority then did you sign the Treaty, or do any Thing that should tend towards pledging the Faith of the Company.—How do you distinguish between pledging the Faith of the Company, and signing the Treaty as Resident and Guarantee from the Company at Lucknow, pledging the Faith of the Company ?

A. In one Instance the Company would be particularly mentioned; in the other I should only sign the Treaty, and engage to use my Influence, as far as I could, in Support of the Begum, to prevent any Infringement of the Agreement, whatever it should be.

Q. You say, that in point of Fact you did understand yourself to be prohibited from pledging the Faith of the Company, but you did not suppose you was prohibited from signing the Guarantee; and if the Nabob attempted to infringe it, then you, as Resident, were to take the most active Part you could for supporting the Begums ?

A. Yes.

Q. Is any such Distinction made in this Treaty which you signed ?

A. In the Treaty just read ?

Q. In the Treaty just read, do you observe that it makes any Distinction between the Two Cases you have put; the One, of the Faith of the Company being directly and effectually pledged; the other, of the Resident of the Company, by his Signature, being pledged to prevent any Infringement of the Agreement ?

A. I do not observe by the Treaty, there is any express Distinction.

Q. Then are we to understand, that the Elder Begum had exactly the same Security, as far as your Signature went, as the Younger Begum ?

The House observed, That by the Language the Witness had made use of, he seemed to think, there was a Distinction between the Faith of the Company being pledged, in express Words, and the Treaty being signed by him; which would pledge him, as Resident, to make all the Terms of it good.

The Managers for the Commons stated, That no such Distinction was made in the Treaty; that the Witness admitted the Faith of the Company was pledged, by his Signature, to the Younger Begum; and that there was no Distinction in the Treaty made with the Elder Begum.

Then the Witness was asked;

Q. Did you understand the Faith of the Company to be more pledged to the Younger Begum than to the Elder Begum, by Means of that Treaty ?

A. As far as the Elder Begum was concerned in that Treaty, I conceive the Faith of the Company to be pledged.

Q. As far as the Elder Begum was concerned in that Treaty, you considered the Faith of the Company to be pledged to her?

A. Yes.

Q. I have understood you hitherto—you did not understand the Faith of the Company to be so directly pledged by your Signature, as if they themselves had made an express Engagement for it?

A. That is, in the Treaty with the Elder Begum, to which I have put my Signature.

Q. What do you mean by the Company being more pledged to the Younger than they were to the Elder Begum? In what Sense did you understand these Words?

A. In that Treaty they were pledged to both equally; I considered the Articles as of no Consequence. If you advert to those Articles respecting the Elder Begum, they are of no Consequence.

Q. The Question is upon the Treaty previous to this. Why did you consider the Company to be less engaged to the Elder Begum by that Treaty, than by this of the 3d of October?

A. As far as I recollect that Treaty, it was nothing more than a Signature in my individual Capacity as Resident in the Vizier's Court, to use my Influence upon all Occasions to prevent the Nabob from interfering with the Rights of the Elder Begum. I have already declared to your Lordships I have no Sort of Recollection of signing that Treaty; I speak now of what, probably, was the Motive to induce me to sign it, if I did sign it.

Q. To prevent the Vizier from interfering, with what did you say?

A. With the Elder Begum.

Q. With the Rights of the Elder Begum?

A. With the Claims of the Elder Begum.

Q. Did you say any Thing more than that?

A. No.

Q. You had no Recollection of signing that?

A. No positive Recollection.

Q. Have you any Recollection?

A. I have none. I have no Recollection of signing it.

Q. If you do not recollect you signed that Treaty in Fact, how do you recollect the Distinction between the Authority of the Two Treaties?

A. I have only supposed I did sign the Treaty, and signed it in the Manner I have now explained it to your Lordships.

Q. It is upon that Supposition?

A. Upon that Supposition only. I have not a sufficient Recollection; indeed, I have no Recollection of it: But I take it for granted it was signed, as it appears so upon the Face of it.

The Managers for the Commons desired, that the following Passage in the Defendant's Answer, delivered in at the Bar of the House of Lords, might be read to the Witness (a).

The same was accordingly read.

"And that the Governor General and Council, the said Warren Hastings being then Governor General, did thereupon direct the said Mr. Middleton to make such Representation to the Nabob as is stated in the said Article: And the said Warren Hastings does not know or believe, that any other Interferences, Powers, or Authorities, were made, given, granted, or confirmed by the said Governor General, and the said Council, for the Purpose aforesaid, and he denies that any Guarantee of the British Nation, or any Guarantee of any Kind whatsoever, was, by the Resident, under the Authority of the said Warren Hastings, ever pledged to the said Elder Begum for her Protection."

Then the following Question was put to the Witness:

Q. Whether you furnished Mr. Hastings with any Minute to that Effect, in assisting him to make his Defence to this Article of the Charge?

A. I cannot say I remember the particular Minutes I furnished Mr. Hastings with; they were in general such Information as occurred to me upon the Affairs of Oude.

(a) Vide Printed Answer to the Second Article, Page 14, 6th Line from the Bottom.

Q. But do you recollect whether you furnished him with that particular Minute or not?

A. I do not.

Q. Did you receive, after executing this Treaty; any Sanction or Approbation of that Measure from Mr. Hastings?

A. I received a Letter from Mr. Hastings by Ackbur Ali Cawn; which I beg leave to state to your Lordships. It is a Letter, dated the 29th of March 1779.

The Managers for the Commons stated, they would read the Letter immediately: They only wished first to ask,

Q. Whether the Witness knew who Ackbur Ali Cawn was?

A. I cannot say I remember his Person; but I understood him to be an Agent of the Younger Begum, and to have gone down from the Younger Begum as Agent to the Governor General.

Q. But whether he was in her Service, or in what Capacity, you do not know?

A. I do not know.

Then a Book, intituled, "Letters from the Board, from 1775 to 1782," marked C, was delivered in.

Read, the following Extract, being a Letter from the Defendant, dated, Fort William, 29th March 1779, to Nathaniel Middleton Esquire, Resident at the Court of the Vizier.

"To Nathaniel Middleton Esquire, Resident at the Court of the Vizier.

"Sir,

"This serves to introduce to you Akber Aly Khan, dispatched to me with Letters by the Bahoo Bhegum, for whom I desire your Civilities and Attention.

"From the Bhegum's Letters, and the Papers of which she has sent me Copies, I am surprized to observe, that although the Nabob has repeatedly entered into solemn Engagements with her, and the Name of the Company pledged for the Performance of them, yet none of them have been observed any longer than the Nabob thought proper.—Such Instances of Breach of Faith bring our Name, as well as the Nabob's, into Discredit. The Bhegum informs me, that she shall rest satisfied with the last Engagement contracted with her by her Son, to which you have set your Seal on the Part of the Company as Guarantee, provided she can be assured it will be observed.

"I must therefore desire that you will make use of your Influence with the Nabob, to prevent his attempting any Act contrary to these Engagements; and that if he should at any Time so far forget himself as to make it necessary, you declare to him peremptorily in my Name, and on the Part of the Council, that we will pay all due Attention to the Bhegum, and afford her Assistance in all Matters when she may have Occasion to require it, and which have a Relation to these Engagements.

"Fort William,
the 29th March 1779.

"I am, Sir,

Your most obedient Servant,
(Signed) Warren Hastings."

Then the following Question was put to the Witness.

Q. Did you understand that Letter to be a full, compleat, and perfect Sanction and Approbation of the Treaty which you had so signed?

A. I did.

The Managers for the Commons acquainted the House, they had no further Questions to put to the Witness upon the Subject of the Treaty.

Q. (*Cross examined.*) The Witness has said, he considered that Letter as a full Sanction and Approbation of the Treaty he had signed. I wish him to be asked, what Treaty he refers to, and with whom made?

A. The Treaty with the Bhow Begum.

Q. Of what Date?

A. The Date is the 3d of October 1778.

Q. Did you understand that Sanction and Approbation as relating to that Treaty only?

A. To that Treaty only; certainly.

Q. (*from a Lord.*) If I mistook not, in hearing the Letter read, there are these Words, "and all the other Engagements;" if these Words appear upon the Face of the Treaty, I would wish to know what you understood by them?

A. I understood, all the other Engagements with the Bhow Begum. I understood the Letter to refer solely to the Engagements with the Bhow Begum.

Q. Did

Q. Did you understand the Treaty as referring solely to the Bhow Begum ?

A. I have observed there were some Clauses in it respecting the Elder Begum.

Q. Can you tell upon what Foundation you understood the Letter to refer not to those Clauses respecting the Elder Begum, but to those respecting the Bhow Begum only ?

A. To the whole Treaty I understood it to refer.

Then the following Questions, and Answers of the Witness thereto, were read by the Clerk.

Q. Did not the Nabob, at the Time of executing the Treaty of 1775, give her a Coolnama as a Pledge upon that Occasion ?

A. I understood he did.

Q. Was that Coolnama transmitted to Calcutta, or any Copy of it ?

A. I was not at Lucknow at that Time.

Then the Witness was asked :

Q. (*from a Lord.*) Was that Coolnama, which you understood to be granted in the Year 1775 by the Nabob to the Bhow Begum, signed by you ?

A. No : I was not there at the Time.

Q. You say you did not sign the Coolnama, as you know of ?

A. Not that I know of.

Q. Do you remember signing any Coolnama, if you did not sign that in the Year 1775 ?

A. The One that has been read To-day.

Q. You call that a Coolnama ?

A. I call that a Coolnama.

Q. (*from a Lord.*) Whether you ever transmitted to Mr. Hastings, or to the Board, that Treaty which was entered into in October 1778, or the Instrument, whatever it was ?

A. I do not remember whether I did or not.

Q. Recollect, if you can, whether you did or did not ?

A. I should rather think I did not, as I do not understand that it appears upon the Correspondence.

Q. Whether you understood, that the Board knew or received any Account of the Transaction, till the Time the Younger Begum sent down her Agent to the Board with an Account of it ?

A. I should apprehend not.

Q. Then I should be glad to know, if that Account had not been sent down, and the Board had no Knowledge of that Transaction, whether your Signature and Guarantee would have bound the Company's Faith ?

A. If any Cause had arisen in which I should have had Occasion to recur to the Powers of that Guarantee, I must of Necessity have made a Reference to the Governor General and Council.—I should conceive it would.

Q. You conceive the Government would have been bound, though they had not given any positive or specific Sanction to it ?

A. I should conceive they would, because I conceive this Coolnama to be very little or nothing more than a Confirmation of the former Coolnama, which had been sanctified by the Approbation of the Governor General and Council.

Q. (*from a Lord.*) I should be very glad to know for what Reason it was, that you did not send an Account of this material Transaction, either to the Governor, or the Board ?

A. I could have had no other Reason, than not considering it as a new Transaction, but merely a Confirmation of the former Coolnama of 1775.

Q. I should be glad to know then, now the Treaty has been read to you, whether, by comparing it with the former, you are ready, upon your own Observation, to say they are precisely the same ?

A. They are not precisely the same ; there are some Exchanges of Conditions proposed and agreed to by the Nabob and the Begum mutually.

Q. Whether there is not a Clause, whereby the Nabob binds himself to demand no Loan of the Elder Begum ?

A. No ; I do not recollect it.

The following Passage of the said Treaty was read.

“ Moreover, his Highness shall not, at any future Period, make Demand of a Loan, or any other Demand, from her Highness. Further ; his Highness shall not, at any future Time, de-

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fire from her Highness the Exchange of any Places of the old or new Jaghires: Which old and new Jaghires were fixed to her Highness in the Exchange lately made by the Nabob.

Then the following Question was put to the Witness :

Q. In what Light did you consider the Guarantee, in respect of the Jaghires: Did you understand it to protect the specifick Property guaranteed, or to allow a Resumption of it, in Consideration of an Equivalent? Did you understand the Estate in the Jaghire to be secured, on only the Rent and Value of it?

A. That is Matter of Opinion; which I could wish your Lordships would excuse my speaking to.

Then the following Question was put to the Witness :

Q. Why did you omit to inform the Board of this Treaty which you signed upon the 3d of October 1778?

A. I can assign no Reason for it.

Q. I understood you to say, when the Question was put to you before, that you looked upon the Articles to be but small Changes from what was contained in the Treaty of 1775?

A. Yes; I did say so.

Q. Was that your Reason; or had you no Reason?

A. I have no Reason that I can at this Time recollect.

Q. At the Time you signed any of those Treaties as Guarantee, or as a Resident, did you produce to the Begums, or to the Nabob, any Authority for doing so?

A. I do not recollect producing any Authority; it is probable, that having such Authority, I should mention it to them.

Q. (from a Lord.) When you signed any Treaty, guaranteeing the Company, how were the Nabob, or the Begums, to know that the Treaty, by which they bound themselves, was, or was not, actually guaranteed by the Company, unless your Authority was produced to them constantly?

The Witness desired the Question to be repeated.

The Witness was asked,

Q. Did you explain to the Nabob, or to the Begum, or had they any Means in the World of knowing, when you signed the Treaty, whether they had, or had not, to depend upon the Company for the Performance of it?

A. It is most probable I did explain to the Begum the Authority upon which I acted;—I could not produce the Authority of the Board, because it would not have been intelligible to the Begum.

Q. By the Answers you have made, there is a Difference in your Account of the Transactions with those Princesses, between a Treaty signed under the express Guarantee of the Company, and a Treaty only signed by yourself as Resident;—the Question proposed to you is this;—whether, according to your Knowledge and Belief, they were apprised of that Distinction, or not?

A. I should apprehend that the Bhow Begum was apprised I had Authority to guarantee her Treaty; the Elder Begum could not have understood any Thing of that Kind, as I certainly had no express Authority for it.

Q. See whether I make myself understood by you. You have stated this Sort of Difference: That the Company was bound, where they were expressly named Parties, and where they gave Authority and Ratification to what was done: But you think they were not bound by the simple Act of your Signature, as Resident. The Question proposed to you is this; Did the Begums, or did they not, know of the Distinction that you make between the different Modes of Guarantee?

A. They probably did: I have no Doubt but they did.

Q. (from a Lord.) You have said, in Answer to a former Question, that you thought the Company were bound by your Signature; which you afterwards explained to be only, because it was a Confirmation of a former Treaty. I wish to know, how the Begums, or the Nabob, could possibly know that such a Distinction existed, which made the Guarantee void or valid?

A. I must certainly have explained to the Bhow Begum, what the Extent of my Authority was, what the discretionary Powers of my Office were: I do conceive, and I have no Doubt, I informed her at the Time, that I considered the Act I did, by confirming the Agreement between her and the Nabob, as nothing more than the Confirmation of the former Coolnama: I have no Doubt I informed her so at the Time.

Q. Attend to the Question: You make a Difference between a Treaty authorised by, and afterwards expressly ratified by the Company, and a Treaty simply signed by the Resident, without such previous Authority, or subsequent Ratification. The single Question now put is; How you suppose

suppose the Princes of that Country should be apprised of that Distinction : Did you ever make that Distinction known to them ?

A. I don't recollect that I did.

Q. (*from a Lord.*) Whether you consider your Signature as pledging the Faith of the Company, though you might be culpable yourself for doing it without Authority ?

A. No ; I do not conceive it would in all Cases.

Q. According to your Opinion of the Transaction, do you suppose the Nabob would be bound upon the one Side, if your Signature would not bind the Company upon the other : Have you formed any Opinion upon it or not ?

A. No, I have not.

Q. (*from a Lord.*) The Question is, whether the Nabob, or the Princesses, or either of them, did or did not understand the Treaty to be binding upon the Company by Means of your Signature only ?

A. It would seem the Begum did not, as she sent down her Agent to Calcutta expressly to get a Confirmation of it from the Governor General and Council.

Q. (*by the Managers.*) Whether upon the following Question being asked, upon a former Examination, " Do you know, from your Residence in that Country, whether by the Usage of Indostan, and according to the Opinion of the People of that Country, the Attestation of a Person of the Rank of Sir Robert Barker is considered as a Guarantee"—You did not answer—" I think it is ? "

The Managers for the Commons were informed, That the proper Question to be put was, whether the Witnesses considered the Attestation of Sir Robert Barker, in the Situation in which he was, as a Guarantee binding upon the English Nation ?

A. The Question was not asked, What I considered, but what the Parties contracting would consider. I did suppose, from the high Situation in which Sir Robert Barker stood, the Nabob Fyzoola Cawn would consider it as pledging the Faith of the Company.

Q. What was Sir Robert Barker's Situation ?

A. He was Commander in Chief of the British Army, with considerable Powers, as I understood, of Negotiation.

Q. (*from a Lord.*) Whether the Signature of the Resident employed by the Company to treat with the Nabob, or any other Prince, would not be of as much Consequence, and whether the Company would not be as much bound by it, as they would by the Attestation of Sir Robert Barker in the Situation in which he stood ?

The Witnesses desired the Question to be repeated.

Q. You have said you had some Knowledge of the Situation in which Sir Robert Barker was, and it is a Comparison between Sir Robert Barker's Situation and yours as Resident at Lucknow : The Question is, Whether, upon that Comparison, as well as you are able to make it, you think that the Signature of the Resident at Lucknow would not be as effectual to bind the Company, as the Attestation of Sir Robert Barker to a Treaty ?

A. It would be much the same, I should conceive.

Q. (*from a Lord.*) Had you any written Credentials given you by the Company to be presented to the Vizier at Lucknow, when you went to reside there, explaining the Nature and Extent of your Powers ?

A. To the best of my Memory I had a Letter from the Governor General to the Nabob, informing him generally of my Appointment to reside at his Court.

Q. That Letter was presented ?

A. Yes.

Q. Did you make any other Representation to the Nabob, besides what that Letter contained, of the Extent of the Powers with which you were charged ?

A. No ; I do not think I did.

Q. Do you know whether the Bhow Begum received from Mr. Hastings any other Account of your Authority there, besides what the Letter of Credence gave her ?

A. No ; I do not know that she did.

The Managers for the Commons stated, They would now read a Passage to the Witnesses from his own Book, to which he had been daily recurring, in order to refresh his Memory.

Then Book 109, intituled, "Bengal Persian Correspondence," was delivered in. Read, Extract of a Letter from Mr. Hastings to the Mother of the Nabob Asoph ul Dowlah, beginning at Page 287 of the same Book. Written the 18th December.

"—Mr. Middleton is going on my Part to reside with the Vizier. I have recommended to his strictest Attention whatever you may wish to have effected. I beg you will regard whatever he may represent to you as coming from myself; and I do not doubt, but that by his good Offices he will be able to accomplish what I have greatly at Heart—the Re-establishment of Confidence and Affection between you and the Vizier your Son."

Then the following Question was put to the Witness.

Q. Did you consider that as a Letter of Credence to the Bhow Begum?

A. Yes, I did; but I beg Leave to observe, that this is not one of my Books: I applied repeatedly this Morning for a Sight of it to refresh my Memory, with respect to the Treaty that has been read, without being able to obtain a Perusal of it.

Q. Did you, or not, remember that Letter, at the Time you gave the former Answer?

A. I never saw that Letter before, nor knew of it.

Q. Was you the Bearer of that Letter yourself?

A. Not as I remember; I do not remember carrying any Letter to the Begum whatever.

Q. From all you recollect in the Correspondence, do you recollect any other Letter from Mr. Hastings to the Bhow Begum, which credited you to her?

A. Not at this Moment.

Q. The Witness has said, he never heard or read this Letter before; I would ask, Whether he was not in Court, the other Day, within a few Yards from where he now stands, when that Letter was read here?

A. I do not remember ever hearing the Letter before.

Q. (from a Lord). Whether you mean to say, you never saw that Letter at any Time, according to your Memory; or only, that you have never seen it since you came to England?

A. I never recollect to have seen it at any Time.

Q. Whether it is the Custom of the Resident's Office to keep, in the Office, Translations of all Persian Letters; and to send those Translations, together with the original Letters themselves, to Calcutta?

A. I do not understand it to be a general Custom: In some Cases, no Doubt, it may be so.

Q. Do you remember this—Whether a Copy of that Letter which Mr. Hastings wrote to the Begum, was sent to you as the Resident?

A. I do not remember that any Copy was sent; I do not recollect the least about it.

Q. (from a Lord). I wish to know, whether Mr. Hastings, in any Conversation previous to your going to the Residency, expressed to you, that he had sent the Begum Word, you were to be considered by her as the confidential Agent, or Minister, between him and the Begum; and to take care of her Concerns?

A. I cannot charge my Memory with any such Conversation: But I take it for granted, Mr. Hastings would inform me, he should write to the Begum of my Appointment; and that he would inform the Begum of my Appointment.

Q. (from the Managers.) Whether in the Intercourse between the British Governor and any of the Princes of India, the Authority of a Resident to transact with them, has ever been doubted?

A. I recollect One Instance, in the Case of the Nabob Fyzoolah Cawn.

Q. Would a Doubt, suggested in that Manner by One of the Indian Princes, be looked upon as disrespectful to the Government, or to the Resident who represented that Government?

A. I did look upon it in that Light.

Then the Managers for the Commons desired an Extract of a Letter from Mr. Middleton to Mr. Barwell, dated 20th April 1778, might be read.

Read, the following Extract from Book 77, already delivered in, beginning at Page 210 of the same Book.

"To Mr. Daniel Barwell.

"As I consider the Doubts and Suspensions Fyzoolah Khan has thought proper to manifest, and indeed to declare, of my being duly authorized to act in this Business, as a personal Insult to myself, and as the highest Indignity to the Authority I have the Honour to represent; it is therefore

therefore incumbent upon me, as well in Justice to my own Feelings, as in Support of the publick Authority vested in me, to insist upon his receiving the Guarantee in the Form, and under the Sanction, it has been transmitted to him, or upon your putting a Stop to all further Negotiation with him, and immediately withdrawing yourself from his Court. I cannot, consistently with my Duty, and the Dignity of my Employers, assent to any other Alternative; for, to gratify Fyzoolah Khan in his present Demand, would not only be to deviate from an invariable Practice of the Service, and tacitly to submit to the Insult he has offered to my publick Character, but would also be admitting a Precedent which might, and certainly would, be fraught with Consequences entirely destructive of that decisive Conduct on many Occasions expected from me, as well as allowing him to dictate to the Honourable Board, and, in Fact, to arrogate to himself the Right of prescribing the Terms of their Indulgence."

[Signed, at the End of the Letter]

" Lucknow,
20th April 1778.

Nathaniel Middleton,
Resident at the Vizier's Court."

Then the following Question was put to the Witness.

Q. Whether, if either of the Begums had doubted your Authority to become a Guarantee, you would not have made them an Answer similar to that?

A. If the Bhow Begum had done it, I certainly should.

Q. Why not, if the Elder Begum had?

A. Because I had no Authority for any Agreement with the Elder Begum.

Q. The Question is a general one: Whether if any Person, with whom you pretended to have an Authority to treat, had doubted the Fact of your having such Authority, you would not have treated their Doubt in the Manner you treated this of Fyzoola Cawn?

A. I think I should.

Q. Did you ever tell the Elder Begum, that you had no Authority to pledge the Faith of the Company?

A. I cannot charge my Memory with such a Communication to her. I am pretty certain I never told her that I had such an Authority.

Q. In your Transactions with the Elder Begum, do you suppose she would have concluded you had such Authority, unless you had told her negatively, you had not?

A. It is impossible for me to say what might have been her Judgment.

Q. Was there any Thing in your Transactions with her, that would have given her to apprehend you had such Authority, unless you had expressly denied having such Authority?

A. I fancy not.

Q. Did you, or not, think your Authority was general at that Court, that you had a sufficient Authority to transact any Thing there?

A. I did not conceive the general Authority of my Situation to be of that Extent.

Q. You are desired to recollect yourself; and say, whether, according to your Memory, as far as you were concerned in it, the Governor General was left in total Ignorance of the Transaction of the 3d of October 1778, till Acbar Ali Cawn carried those Instruments to him?

A. I have no Knowledge which induces me to think the contrary.

Q. (*from a Lord.*) An Extract of a Letter from the Witness has been read, in which he promises to give an Account of the Success of his different Negotiations, and of the Steps he is to take: I would ask, whether any, and what Notice, was taken of that Letter by the Board or by the Governor General; whether they ever observed upon his total Silence from the Time that he made that Promise, in which he expressly says, that he shall give them an Account of his Success? Do you recollect the Letter that has been read, in which you promised to give the Government an Account of the Success of your Transactions?

A. Yes.

Q. Then the Question put to you is, Whether any Notice was ever taken by the Government of that Letter, or of your not having given an Account of those Transactions in Conformity to it?

A. No: I do not recollect any Notice was taken.

Q. (*from a Lord.*) I understand the Witness to have said, that he made Application this Morning to the Managers upon the Part of the Commons, for Leave to inspect certain Books in their Custody, in order to refresh his Memory, and that such Permission was refused.—I wish to ask, to whom did he make such Application, and who it was that so refused him?

A. I hope I have not been understood to have made any such Charge against the Honourable Managers. I came down here early this Morning, under an Assurance that I should be allowed to see my own Books, as well as a Book of Persian Correspondence, which I wished to refer to for the
Persian

Perusal of that Treaty which has been just read to your Lordships. I had Access to my own Books, which were in the Custody of Mr. White, who, I believe, is Clerk to the Committee of the Honourable Managers.—But this other Book of the Persian Correspondence, not belonging to me, I could not get Access to it.

The Managers for the Commons acquainted the House, that the Book of Persian Correspondence was in the Custody of the House, for the Purpose of the Evidence delivered on a former Day being printed.

Then the Managers for the Commons stated, they had done entirely upon the Head of the Treaties. They should proceed therefore to ask a few Questions of the Witness, relative to the intimate and confidential Connection between him and Mr. Hastings.

Q. Whether you considered yourself as in a peculiar Degree of Confidence with Mr. Hastings while you were Resident at Lucknow?

A. I did consider myself as possessing a considerable Share of Mr. Hastings's Confidence.

Q. Whether you had not frequently separate Communications with Mr. Hastings upon Publick Affairs;—Communications which were not addressed to, nor made to the Board?

A. It is possible I might, upon some Occasions, communicate with Mr. Hastings separately from the rest of the Board:—Possibly I might.

Q. Private Letters?

A. Private Letters.

Q. I do not ask "possibly," but did you, or did you not?

A. I did.

Q. Did you ever consider Mr. Hastings's separate Direction to you as a sufficient Authority to you to act? Did you receive from Mr. Hastings any separate Directions, not purporting to be Orders from the Board?

A. Not till Mr. Hastings came up to Chunar, invested with the Whole Authority of the Board. I was then instructed to consider him and his single Authority as the Authority of the Board.

Q. Then, before Mr. Hastings came up to Chunar, you do not remember to have received any Instructions from him, which did not purport to be the Instructions of the Board?

A. No; no Instructions upon which I could take any official Step.

Q. Whether you can take upon you to say, you never acted in a publick Manner upon the Direction which you understood to be Mr. Hastings's separate Direction, apart from the Rest of the Board?

A. Previous to that?

Q. Previous to Mr. Hastings's Arrival at Chunar?

A. I cannot say I can call to my Mind any Instance where I did take any official Step upon a private Intimation from Mr. Hastings.

Q. Whether you considered your Publick Correspondence as a Matter addressed to the Board, and over which the Board at large had the Controul?

A. Certainly I did.

Q. Whether you ever, at any Time, delivered any Part of your publick Correspondence to Mr. Hastings, by the private Order of Mr. Hastings, and without any Order from the Board?

A. I must beg Leave to enter into an Explanation upon this Subject. When I first went up to the Court of the Vizier Sujah ul Dowlah, my Appointment was that of Agent to Mr. Hastings; I was directed to correspond with him alone, upon every Matter that should come within my Department. I did so; and, upon the Appointment of the new Government, they were pleased to call upon me for all my Correspondence with Mr. Hastings, during the Period I had resided at the Court of Sujah ul Dowlah: But conceiving myself to have acted in that Court by the sole Authority of Mr. Hastings, and myself to be amenable to him for all my Acts there, I did not consider myself as warranted in giving up that Correspondence to any Authority but his; and I therefore did refuse it to the Government, when they demanded it of me; and it was afterwards delivered up to Mr. Hastings, at his Requisition.

Q. Did not that Correspondence relate to publick Matters?

A. It belonged to both publick and private; to personal Matters.

Q. Was not the Time you are speaking of, long prior to the Treaty of Chunar, and the new Government? How long before the Appointment of the new Government, had you been appointed Agent under Mr. Hastings?

A. I think it was in the Year 1774, I was appointed there.

Q. Did you understand yourself as the private Agent of Mr. Hastings down to the Year 1781?

A. No.

Q. When

Q. When did your private Agency with Mr. Hastings determine ?

A. Upon my Recall by the New Government.

Q. When was that ?

A. About the End of the Year 1774.

Q. I thought your First Appointment had been in the Year 1774 ?

A. In the Beginning of the Year 1774.

Q. Do you recollect when you was recalled ?

A. I was recalled in October 1774.

Q. Therefore your private Agency with Mr. Hastings was from the Beginning of the Year 1774 till October 1774, when you was recalled by the new Government ?

A. Yes.

Q. Was you his private Agent at Lucknow at any other Time but that ?

A. No.

Q. (*by the Managers.*) Whether after the Period of your Recall in 1774, you ever delivered up any Part of your Correspondence to Mr. Hastings ? When was it, in Fact, that you delivered up the Correspondence to Mr. Hastings that you refused to the Government ?

A. I do not recollect the exact Period when I delivered it up to him.

Q. Did you ever withhold, or refuse to deliver up, any of your Correspondence at any other Time than that ?

A. Never, any other Correspondence.

Q. Did you ever propose, after you ceased to be Mr. Hastings's private Agent, to write any publick Letters in such Form as Mr. Hastings himself should prescribe, different from the Letters you had wrote to him before ?

A. I do recollect an Instance in Answer to a publick Letter from Mr. Hastings, mentioning to him in a private Letter, that if I had misunderstood his Directions, and acted upon Principles that he did not wish ; if I had acted upon mistaken Principles, I was willing to correct the Letter, and to make it conformable to his Wishes : I have a Recollection of such an Instance.

Q. Do you mean that these Letters were to be substituted in the Place of Letters which had been actually written ?

A. It was in Answer to a Letter written by himself : At this Time Mr. Hastings was up the Country, and had all the Powers of Government vested in himself.

Q. Was your Proposal to write to him another Letter upon the same Subject, upon which you had written him a former Letter, to be substituted in the Place of that former Letter, and that the former one was to be withdrawn ?

A. The private Letter, which I have just mentioned, accompanied a publick Letter, and, in the private Letter, I declared myself to the Purpose I have just now mentioned.

The Letter was ordered to be read.

The same was accordingly read, from Book 82, already delivered in, beginning at Page 203 of the same Book.

" My dear Sir,

Lucknow, 30th December 1781.

" I have this Day answered your publick Letter in the Form you seemed to expect. I hope there is nothing in it that may to you appear too pointed. If you wish the Matter to be otherwise understood than I have taken up and stated it, I need not say I shall be ready to conform to whatever you may prescribe, and to take upon myself the Share of the Blame of the (hitherto) Non-performance of the Stipulations made on Behalf of the Nabob ; though I do assure you, I myself represented to his Excellency and the Ministers, conceiving it to be your Desire, that the apparent Assumption of the Reins of his Government (for in that Light he undoubtedly considered it at the first View,) as specified in the Agreement executed by him, was not meant to be fully and literally enforced ; but that it was necessary you should have something to shew on your Side, as the Company were deprived of a Benefit, without a Requital ; and, upon the Faith of this Assurance alone, I believe I may safely affirm his Excellency's Objections to signing the Treaty were given up. If I have understood the Matter wrong, or misconceived your Design, I am truly sorry for it ; however it is not too late to correct the Error ; and I am ready to undertake, and, God willing, to carry through whatever you may, on Receipt of my Publick Letter, tell me is your final Resolve.

" If you determine, at all Events, that the Measure of reducing the Nabob's Army, &c. shall be immediately undertaken, I shall take it as a particular Favour if you will indulge me with a Line at Fyzabad, that I may make the necessary previous Arrangements with respect to the Disposal of

of my Family, which I would not wish to retain here, in the Event either of a Rupture with the Nabob, or the Necessity of employing our Forces on the Reduction of his Aumils and Troops. This done, I can begin the Work in Three Days after my Return from Fayzabad.

" I am, &c. &c.

" Nath. Middleton (a)."

Then the following Question was put to the Witness :

Q. Whether this Letter was not written at the Time the Negotiations and Transactions were going on respecting the depriving the Begums of their Treasures and Jaghires ?

A. It was.

Q. Whether you had not a Publick and Private distinct Correspondence going on with Mr. Hastings during the Whole of the Transactions respecting the Jaghires ?

A. I was in Correspondence with Mr. Hastings the whole Time, both publickly and privately, as appears from the Letters on Record.

Q. Have all your private Letters upon that Subject appeared, or were they afterwards delivered up by you to Mr. Hastings ?

A. None were delivered up by me to Mr. Hastings. I believe they all appeared upon that Subject.

Q. It is a Mistake in putting the Question: The Question is, Whether they were afterwards delivered up by Mr. Hastings ?

A. No.

Q. All the private Letters were not delivered up by Mr. Hastings ?

A. All the Letters that passed upon this Subject, both publick and private, I believe are upon Record. I delivered none up to Mr. Hastings, nor did he deliver up any to me.

Q. Whether all the Letters you wrote to Mr. Hastings, or which you wrote to any other Person, in order to be communicated to Mr. Hastings, upon that publick Business respecting the Begums, were delivered up, and whether they are all upon Record ?

A. I believe they are.

Q. Have you looked to the Records wherein this Correspondence is entered ?

A. I have seen the Books that have been published upon this Business.

Q. Do you believe those Books contain all the Letters you wrote upon that Subject ?

A. They contain all, that I have the least Recollection of, upon the Subject.

Q. Had you any private Correspondence with Sir Elijah Impey to be communicated to Mr. Hastings upon that Subject ?

A. I had.

Q. Do those appear upon Record ?

A. They do.

Q. Upon what Records ?

A. Upon the Proceedings of the Committee of the House of Commons.

Q. I understood you, by Records, to mean the Transactions of the Government at Calcutta ?

A. No; they do not appear upon the Record there.

Q. You had a Letter read to you just now: I do not know whether I perfectly understand the Effect of it. Did you mean, in that Letter, to make Mr. Hastings an Offer of withdrawing the Letter you had actually written to him upon a publick Subject, and to substitute any other Letter in the Place of it in a different Form ?

A. If it is not taking up too much of your Lordships' Time, I wish the Letter and my Answer to be read.—Your Lordships will then see there is some Difference of Sentiment and Opinion between me and Mr. Hastings, and I wished to make it palatable to him. I was fearful I might have expressed myself with too much Warmth.

Q. The Suggestion that arose in my Mind, upon reading that Letter, was this, that you meant to make an Offer to Mr. Hastings, of withdrawing the Letter you had written ?

A. Of altering that Letter, if I had expressed myself in Terms offensive to him: Of withdrawing that Letter, and writing another more conformable to his Wishes.

Q. Did you mean to alter that Letter in any other Respect, than with regard to personal Expressions to Mr. Hastings: Did you mean to alter it with respect to any publick Transaction ?

A. No.

Read, the following Extracts from Book 82 before delivered in, beginning at Page 188 of the same Book.

“ Appendix to Consultations, 12th June 1783.

“ Mr. Nathaniel Middleton, Resident at the Vizier's Court,

“ To the Honourable Warren Hastings, Governor General, &c. &c.

“ Sir,

“ The solemn Call you have made upon me, in your Commands of the 26th instant, with which I was honoured Yesterday, demands from me the most unreserved and decided Reply : And that I might not advance any Thing hastily, I took all Yesterday to deliberate upon my Reply. For the Sake of Perspicuity, I have thought it best to recapitulate the several Paragraphs of your Letter, and arrange my Answers to them respectively in the same Order.

“ 1st. My Mind has been, for some Days, suspended between Two opposite Impulses ; One arising from the Necessity of my Return to Calcutta ; the other, from the Apprehension of my Presence being more immediately and more urgently wanted at Lucknow. Your Answer to this shall decide my Choice.

“ To this Paragraph I freely answer, that your Presence is in no Shape necessary here, but, on the contrary, could not fail of being of considerable Retardment to the Collections ; because, in these Countries, the Motions of Governors are looked upon to imply great intended Exertions, and, with them, great Changes ; consequently, all Agents in publick Stations, from the highest to the meanest, put an immediate Stop to all their Avocations, and gaze motionless for the Result. This is the Height of the Kheriff Collection ; and any Impediment now thrown in the Way loses the Produce of the Crop. The enclosed Statement shews what I have received, and what I have disbursed. It will, at first Sight, evince the Importance of realizing every immediate Resource. The current Disbursements of the Second Brigade have not been made good : and the Arrears due from the Nabob to the late temporary Brigade and Cavalry, agreeably to Stipulations, have not yet been liquidated.

“ 2d. I have waited thus long in Hopes of hearing that some Progress has been made in the Execution of the Plan which I concluded with the Nabob in September last. I do not find that any Step towards it has yet been taken, though Three Months are elapsed ; and little more than that Period did appear to me requisite to have accomplished the most essential Parts of it, and to have brought the Whole into Train. This Tardiness, and the Opposition prepared to the only decided Act yet undertaken, have a bad Appearance.

“ In Reply to the Second Paragraph, I beg Leave to refer you to my former Letters, stating the turbulent State of the Country. Three Months is a Period in which the Changes you allude to probably might have been effected in Times of perfect Tranquillity ; but when all the Districts across the Gogra were in Arms, and all the Jagheerdars (a very numerous and powerful Body) were very little short of the same State in every District, and for the regulating and Reduction of whom, the Aumils were principally to be applied to, could a general Change, or Attack upon those Aumils, with Ease have been undertaken ? I think not ;—but I put this Argument of the Practicability or Impracticability out of the Question, as it was not that Consideration which prevented me from enforcing the Measures recommended by you to the Nabob in the Treaty. The Fact is this ; I did not understand, at the Period of executing the Agreement between you and the Vizier, that your Intention was, that the Whole of the Reform proposed was, in its fullest Extent, to take place this Year ; nor, indeed, at all, if the Company's Debt became liquidated. I conceived your Interference in the Nabob's Government tended solely to establish the Means of the most speedy Payment possibly of the Company's Debt, and that whenever this should be accomplished, every Shadow of Interference was to be desisted

desisted from, which I stated to the Nabob and the Ministers; and I believe upon the Faith of that Assurance principally was his Excellency's Acquiescence obtained. For the Prosecution of these Measures, I looked to the occasional Assistance of the Regiments of the Subsidiary Brigade as permitted in the Treaty, and your subsequent Instructions, and intended employing the Aumils and their Sebundy, in the first Instance, for the Reduction of the Jagheerdars, that I might not have the whole Country to attack at once. This Mode of Proceeding threatened no Interruption to the Collections, but an immediate Increase of Means in hand to defray the Charges of the Troops, without which previous Point even our own Army must be useless. The Measure of resuming the Jagheers involved many, and some very powerful Interests, subject to much Odium, from the Disappointment of the Parties, deprived of their Means of Subsistence; and in such extensive Dominions, under a Government so irregular in its Constitution, and so shaken as this is, it could not be effectually accomplished in a Day. However it is now effected nearly throughout (with the Nabob's Sanction, which, at the Point of Execution, there was the most alarming Difficulty to obtain), and in a very few Days I trust it will be enforced; and bad as the Appearance of Opposition may be, I trust to be able to execute the whole Reform, without Delay, upon the Grounds I shall state in my Answer to your Paragraphs successively.

" 3d. I approve the Nabob's Resolution to deprive the Begums of their ill employed Treasures. In both Services it must be your Care to prevent an Abuse of the Power given to those that are employed in them. You yourself ought to be personally present. You must not allow any Negotiation or Forbearance, but must prosecute both Services until the Begums are at the entire Mercy of the Nabob, their Jagheers in the quiet Possession of his Aumils, and their Wealth in such Charge as may secure it against private Embezzlement. You will have a Force more than sufficient to effect both these Purposes.

" To the 3d Paragraph I shall only say, that I march To-morrow with the Nabob to enforce both the Services you exact in it; and if I succeed, as I have the strongest Reasons to hope, in obtaining large ready Money Resources towards liquidating the Arrears to the Troops, which form a large Proportion of the Debt to the Company, I have not a Doubt of accomplishing every End you have now declared you look to the instant Performance of: But as Troops alone can do it, their Assistance cannot be depended upon without previous Pay, or the Possession of certain Means in hand for that Purpose, as it follows that an immediate Stop to all Collections must ensue, from any general Military Exertion.

" 4th. The Reformation of his Army, and the New Settlement of his Revenues, are also Points of immediate Concern, and ought to be immediately concluded.—Has any Thing been done in either?

" To the 4th, I answer that nothing has been done, for the Reasons assigned in my Answer to the Second Paragraph.—If I erred in the Judgment I had formed of your Intentions, I can say no more, as it is passed, than that the Instant the Fyzabad Business is finished successfully, which cannot take more than One Fortnight from the Day of marching there, I shall take such Steps as the Means in my Power will admit of, towards procuring from the Nabob the Orders to each Aumil to pay his Gross Revenue to the Ministers, and to receive the Pay of their Troops, being reduced into regular-mustered Establishments, from the general Treasury; and should he refuse I will issue my own, together with those of the Ministers to that Purpose;

pose; as I did in a former Instance, when the Nabob refused his Perwannahs for the Resumption of the Jagheers, and shall further enforce the Execution against each disobeying Aumil, by marching against him and displacing him.—These Three Points complete the Heads of your Recommendations to the Nabob; the Fourth Article, which was the Separation and Limitation of his own Disbursements to the Medium of his Receipts for the last Three Years, having already taken Place; and then no Assignments will remain upon the Country, but those of the Company, as expressed in the Treaty.

“ 5th. I now demand, and require you most solemnly to answer me: Are you confident in your own Ability to accomplish all these Purposes, and the other Points of my Instructions? If you reply that you are, I will depart with a quiet and assured Mind to the Presidency; but leave you a dreadful Responsibility if you disappoint me.—If you tell me that you cannot rely upon your Power, and the other Means which you possess, for performing these Services, I will free you from the Charge. I will proceed myself to Lucknow, and I will myself undertake them; and, in that Case, I desire, that you will immediately order Bearers to be stationed for myself and Two other Gentlemen between Lucknow and Illahabad; and I will set out from hence in Three Days after the Receipt of your Letters.

“ 6th. I am sorry that I am under the Necessity of writing in this pressing Manner. I trust implicitly to your Integrity. I am certain of your Attachment to myself; and I know that your Capacity is equal to any Service. But I must express my Doubts of your Firmness and Activity; and, above all, of your Recollection of my Instructions, and of their Importance.

“ 7th. My Conduct in the late Arrangements will be arraigned with all the Rancour of Disappointment and Rapacity; and my Reputation and Influence will suffer a mortal Wound from the Failure of them. They have already failed in a Degree; since no Part of them has yet taken place, but the Removal of our Forces from the Doaub and Whitchund, and of British Officers and Pensioners from the Service of the Nabob; and the Expence of the former thrown, without any Compensation, on the Company.

“ To the 5th, I confidently reply, that I am fully competent to undertake and effect the Completion of the Reform upon the Grounds stated in my Answer to the 4th Paragraph; and therefore again repeat, that your coming here is unnecessary; and that, as far as regards the Duties of my Station towards the Execution of your Orders, you may depart in Conviction, that neither Activity or Firmness shall be wanting in the Exertion of every Means within my Power. And those Means I can foresee no Deficiency in, upon the Permission I have of calling upon Colonel Morgan for Aid, and the Receipt of Assets at Fyzabad. For these Reasons, therefore, I have not thought it necessary to lay the Bearers that you conditionally ordered.

“ In Reply to the 6th Paragraph, nothing need be offered by me, by * my Acknowledgement, for the Justice you do to my Sentiments towards your Person and Government. * Sic in Orig.

“ To the 7th. If your Conduct should be arraigned, as you suspect, I can at all Times testify, that upon the Plan of the foregoing Years, the Receipts from the Nabob were only a Deception; and not an Advantage, but even an Injury to the Company; for by the accumulating Increase of the Demands upon him, and the proportionate Decrease of his Means, only his Debt to the Company increased, with a Diminution of Prospect of its Liquidation; while the Company's actual Money or Assets went to the Payment of the Troops, supposed to † maintained solely at the Vizier's Expence. † Fac sim. in Orig.

“ In Proof of this, it will suffice to remark, that the annual net Remittances to the Presidency, should have been the Difference of the Subsidy, and the real Expences of the Brigade.

Say	—	—	—	12,00,000
The Money paid from the Treasury at Calcutta, to Abdubrahama Khan	—	—	—	3,30,000
And the Payment made in like Manner to Mirza Sadit Ally	—	—	—	3,00,000
Besides the full Payment of such Stores as the Company occasionally issued to the Nabob	—	—	—	—
	Sun ^b	Rup'		18,30,000
				or

or about 20,00,000 of Current; which never yet has been the Case from the annual Jaidads, or current Collections; consequently, the Plan was a Fallacy: For the Difference between this Amount and the Remittances to the Presidency, was an actual Loss that the Company annually sustained, instead of a supposed Advantage of a Brigade of Infantry and Cavalry being totally defrayed by the Nabob. From this, therefore, I may safely conclude, that the Remission to the Nabob of this insufferable Burthen, was a Profit to the Company, whenever the extra Troops, paid by the Nabob, shall be disbanded, or quartered upon other Neighbours who are protected by our Power, and the Debt put into a probable State of speedy Liquidation.

" 8th. I expect a Supply of Money equal to the Discharge of all the Nabob's Arrears, and am much disappointed and mortified that I am not now able to return with it.

" To the 8th Paragraph—If the Supply expected at Fyzabad shall prove adequate to the Discharge of all Arrears due to the Troops, and afford an adequate Fund for a Liquidation of the Company's Debt, it will remain at your Option to employ it as a Remittance to the Presidency, or the future Payment of the Troops you may still think necessary to keep up, to regulate the Nabob's internal Government, in regard to which I shall hope for your Determination when I can inform you of what Means I possess.

" 9th. Give me an immediate Answer to the Question which I have herein proposed, that I may lose no more Time in fruitless Inaction.

" To the last Paragraph I trust you will find all my Answers as explicit and decisive as you could wish them; and that they will enable you to determine upon yielding with Confidence to the Impulse arising from the Necessity of your Presence at the Presidency.

" Lucknow,
" the 30th December 1781.

" I have the Honour to be, &c. &c.
(Signed) Nath. Middleton,
Resident at the Vizier's Court (a)."

Q. Is this the Whole of the Letter and the Answer?
A. Yes.

Q. Was there a private Letter which went with this besides?
A. There was.

Q. Where is the private Letter?
A. It has been just read.

Q. Would you wish to have your private Letter read again?
A. No.

Q. Then what is the Explanation which you give of the Terms of that private Letter beyond what you have given?

A. In this Letter which has just been read, I give my Opinion of the Object and the Intention of Mr. Hastings's Agreement with the Nabob at Chunar:—It appears I misunderstood him; that I had not taken it up in the same Point of View that he had, and, therefore, that I had not performed what he expected immediately upon my Arrival at Lucknow. I considered the Treaty to aim only at the Payment of the Company's Debt: If there was any Prospect to accomplish that without the direct Interference which the Treaty warranted, that I was to avoid that Interference. Mr. Hastings in his Letter to me did not conceive it in that Light: No Measures of Consequence had been taken upon that Treaty. I was therefore willing, if he should disapprove of the Terms in which I had expressed myself to him, to have borne any Share of the Blame in not executing his Orders. I was willing to have adopted his Sentiments upon the Nature and Extent of the Chunar Treaty, and to take upon myself the Blame of not having carried his Orders into speedier Execution.

Q. What did you mean by this Proposition to Mr. Hastings, "If you wish to have the Matter otherwise understood, I am ready to conform to your Wishes."—Did you, or did you not, mean to

(a) Vide Appendix, N° XXXIX.

withdraw that Letter you then wrote, and to substitute another Letter, containing a Difference of the Transactions?

A. Of the Transactions to come, for nothing had passed.

Q. Do you mean now to say, that you meant only to tell him you would entertain other Purposes, and pursue them; and substitute a Second Letter in Place of the First?

A. No, I cannot say I meant that.

Q. Did you mean to substitute a Second Letter in Place of the First at all?

A. I meant, if I had expressed myself contrary to his Wishes, certainly I meant to have altered the Letter.

Q. (*from a Lord.*) Whether you meant to have expressed yourself differently as to the Matter, or only in Point of Form?

A. In some Respects as to the Subject Matter of it. I meant to leave out those Parts where I had so much misunderstood his Intentions: I meant to have left them out altogether.

Q. How did you know that you had misunderstood his Intentions?

A. I knew from his Letter that my Sentiments upon the Nature and immediate Purport of the Chunar Treaty and his, were very much different; we differed very widely.

Q. That is what you meant: You conceive by that Letter that you expressed yourself as having been of a different Opinion?

A. Yes.

Q. Did you know it otherwise than from that Letter?

A. No, I did not.

Q. Do you not state in that Letter, that the Nabob had refused to sign the Treaty of Chunar, but upon the Explanation which you had given to the Nabob?

A. I believe I stated in that Letter, that I did conceive my Arguments with the Nabob principally influenced him to sign the Treaty.

Q. Did you mean to deny those Arguments, and that Construction, as Mr. Hastings should please, and to give a different Representation of them?

A. If I had found they were offensive to Mr. Hastings, I probably should have left them out altogether;—I should not have expressed myself so.

Q. Whether you meant that the publick Letter you actually wrote should have been upon Record, if it had been contrary to Mr. Hastings's Wish that it should have been so?

A. It rested with Mr. Hastings to put it upon Record or not, as he thought proper; the whole Power and the Government were vested in him at this Time; and I was directed to correspond with him only, upon the Subject of my Office.

Q. Did not that Letter contain Statements of Facts, with respect to the Situation of the Country?

A. It did.

Q. Did it not contain an Opinion of yours to this Purpose, that the Receipts of the Nabob were a Deception, and not of Advantage, but even an Injury to the Company?

A. It did.

Q. Did you mean to alter the Statement of those Facts and Opinions, according as Mr. Hastings should desire?

A. Not of that: I fancy Mr. Hastings was of the same Opinion. I did not mean to alter that certainly.—What I meant to have altered, was chiefly to have left out what I had said upon my Conduct, respecting the Execution of the Chunar Treaty.

Q. What did you mean by the Expression, “if you wish the Matter to be otherwise understood, I shall conform to whatever you will prescribe?”

A. I meant, in general, that if he wished it should be understood that the Treaty of Chunar was to be carried into immediate Effect, in all its Clauses, that I should not offer any Opinion upon that, or declare the Part that I had taken to influence the Nabob to give his Signature to it.

Q. That is, you were to withdraw the Letter you had actually written, and to write another Letter, omitting the Opinions, and the Transactions with the Nabob?

A. Yes.

Q. Were there any other Instances in which your Correspondence with Mr. Hastings was sent to him, upon the Terms that he might alter them if he pleased?

A. No; I do not recollect any other Instance.

Then the Managers for the Commons desired a Passage from a Letter might be read to the Witnesses,

Read,

Read, the following Extract of a Letter from Mr. Middleton to Mr. Hastings, from Book 82, already delivered in, beginning at Page 90 of the same Book.

" My dear Sir,

" Lucknow, 12th October 1781.

" Inclosed I take the Liberty of transmitting Copies of the several Papers you signed previous to my Departure from Chunar.—The original Agreement between you and the Nabob I am afraid to trust to the present Uncertainty of the Dawks : It shall however be forwarded the Moment you desire it, and an authentic Copy may, in the mean Time, answer your immediate Purpose.—These Papers I have put under a sealed Cover, that you may not have them opened and entered, before you wish them to become publick.

[Signed at the End of the Letter]

" Nathl. Middleton."

Q. What were those Papers which you put under a sealed Cover, that they might not be opened and entered, till Mr. Hastings wished them to become publick ?

A. They were all the Papers connected with the Treaty of Chunar.—Mr. Shee's Recall ; the Measure of recalling all the Officers belonging to the Company in the Vizier's Service ; in short, all the Papers connected with the Treaty of Chunar.

Q. What was your Motive for sending the Papers in that Form to Mr. Hastings ?

A. At the Time the Papers were sent, the Measure of recalling the British Establishment from the Nabob of Oude, and the Temporary Brigade, had not been published ; it was not my Province to judge how far it would be proper to publish those Papers, before Mr. Hastings had made his necessary Arrangements.

Q. Do you remember whether the Treaty of Chunar was with these Papers ?

A. I fancy it was ; I cannot positively say ; I take it for granted it was.

Q. Who had at that Time the original Treaty of Chunar ; and where did those Papers come from ?

A. From Lucknow.

Q. In whose Possession were they, at that Time ?

A. I believe the Treaty of Chunar was carried, by Mistake, to Lucknow by me : I think, that, with some other Papers, was carried by Mistake.

Q. Do you remember whether Mr. Hastings applied to you, while at Lucknow, after the Treaty of Chunar, for a Copy of the original Treaty ?

A. I remember an Application by Mr. Hastings for the Papers, generally, which I had carried to Lucknow.

Q. But you do not recollect any Application, particularly, for a Copy of the Treaty ?

A. Not particularly for the Treaty : but a general Application for all the Papers I had carried to Lucknow.

Q. Then this Letter, with the original Treaty between you and the Nabob, in which you say, " I am afraid of trusting to the Uncertainty of the Dawks : " Do you recollect when you forwarded that ? Do you recollect how long after it was, that you forwarded the original Treaty, or the Copy, to Mr. Hastings : Did you send an authentic Copy with those other Papers mentioned in the Letter of the 12th of October 1781 ?

A. I believe I did. The Original remained, and was forwarded, I think, about Six Weeks afterwards.

Then the Managers for the Commons desired that a Letter from the Witness to the Court of Directors, relative to the Production of his Correspondence, dated the 31st of May 1786, might be read.

The same was delivered in, and read.

" Thomas Morton Esquire, Secretary to the Court of Directors of the Honourable the United East India Company.

" Sir,

" I have had the Honour to receive your Letter of Yesterday's Date, enclosing Copy of an Order of the Honourable House of Commons for the Production of " such Part of the Correspondence which passed between Warren Hastings Esquire and myself, in our official Capacity, during my Residence at the Court of the Vizier, in the Year 1774, as may not already have been laid before the Court of Directors ; together with all Papers and Documents relating to the publick Service, transmitted in the Course of that Correspondence ; and also any Diary or Minutes relating to publick Affairs, which I might have kept during that Period ; " and signifying to me the Commands of the Court of Directors, that I forthwith transmit to them all such Correspondence as is described in the said Order, to enable them to comply therewith.

" In Reply to the above, I beg Leave, through you, Sir, to testify my utmost Respect for the Commands of the Honourable Court of Directors, and my Readiness, on all Occasions, to yield implicit Obedience to them; but, in the present Case, I am unfortunately precluded from a Compliance with their Requisition; having, many Years since, delivered up to Mr. Hastings, by his peremptory Order, the Whole of my Correspondence with him during the Period alluded to, containing his own original Letters, and Copies of mine, together with every other Paper or Document appertaining to that Correspondence; and I beg Leave to assure the Honourable Court of Directors, that I am not possessed of a single Letter, either Original or Copy, or of any other Paper whatever, belonging to it, or relative to the publick Affairs in which I was then employed.

" In Reply to the last Part of the Order, it will, I hope, suffice to assure the Honourable Court of Directors, that I never kept any Diary, Minutes, or other Document, of my Proceedings at the Vizier's Court, than was contained in my Correspondence; not, as I recollect, being bound to it by any Instructions from the Governor, under whose sole Orders I acted, nor holding it to be a Rule of customary Observance in the Service.

" I have the Honour to be, Sir,

your most obedient humble Servant,

" Harley Street, the 31st May 1786.

Nath. Middleton."

Then the following Extract of General Instructions to the Governor General and Council, dated the 29th of March 1774, before delivered in, beginning at the Second Paragraph, was read.

" We direct that you assemble in Council Twice every Week, and that all the Members be duly summoned; that the Correspondence with the Princes, or Country Powers in India, be carried on by the Governor General only; but that all Letters sent by him be first approved in Council, and that he lay before the Council at their next Meeting, all Letters received by him in the Course of such Correspondence, for their Information: We likewise direct, that a Copy of such Parts of the Country Correspondence be communicated to our Board of Trade, (to be constituted as herein-after mentioned), as may any Ways relate to the Business of their Department."

Then the following Question was put to the Witnesses:

Q. Whether you are aware of that Part of the General Orders of the Court of Directors to their Servants in India? Was you apprized of it?

A. No; I cannot recollect that I have heard it before.

Q. (*by the Counsel.*) Whether you did, after writing the Publick and Private Letters of the 30th of December 1781, ever withdraw the Publick Letter, and substitute any other in its Room?

A. No.

Q. Whether you was ever desired by Mr. Hastings, after writing that Letter of 1781, to do so? Did Mr. Hastings ever desire you to do so?

A. No, he did not.

Q. (*from a Lord.*) In the Letter just read, you speak of a peremptory Order of Mr. Hastings, in Consequence of which, you delivered up the Whole of your Correspondence to him; in what Manner was that Order communicated to you?

A. By Letter.

Q. What was the Date of that Letter?

A. I cannot exactly tell the Date.

Q. Do you, or do you not, recollect the general Purport of that Letter; the Reasons assigned, if any were assigned, for the total Surrender of the whole Correspondence?

A. To the best of my Recollection no Reason was assigned; but I was ordered, as soon as possible after the Receipt of that Letter, to deliver up the Whole of that Correspondence.

Q. Did you receive that Letter in England, or in India?

A. In India.

Q. (*from a Lord.*) Can you bring to your Memory how long it was before Mr. Hastings left India that you received that Letter?

A. It must have been several Years; I cannot speak with any Precision.

Q. Was it before or after the new Government?

A. After the new Government.

Q. (*from a Lord.*) Do you know what is become of that Letter?

A. No, I do not.

Q. Have you any Copy of it?

A. Not as I know of.

The Witness was directed to withdraw.

Then the Managers for the Commons acquainted the House, they would now proceed to a new Head of Evidence, to shew the real Motives which, they conceived, existed in Mr. Hastings's Mind, for taking the Journey to Oude when he left Calcutta in the Year 1781. As to the Illegality of the Powers he then assumed, it was already in Evidence before the House, upon the Benares Charge, and therefore it was unnecessary for them to enter into it again upon this Article.

Then Mr. Robert Hudson was called in again, and produced Book 35, intituled, "Bengal Secret Council, from 2d April to 14th June 1781."

Read, the following Extract of a Consultation of the 21st May 1781, beginning at Page 1298 of the same Book.

"Fort William, 21st May 1781.

"At a Council; Present,

The Honourable Warren Hastings, Governor General, President; and
Edward Wheler Esquire;

Lieutenant General Sir Eyre Coote, K. B. absent on Command at the Presidency of Fort Saint George.

"The Governor General delivers in the following Minute.

"The Province of Oud having fallen into a State of great Disorder and Confusion, its Resources being in an extraordinary Degree diminished, and the Nabob Asoph ul Doulah having earnestly intreated the Presence of the Governor General, and declared, that unless some effectual Measures are taken for his Relief, he must be under the Necessity of leaving his Country, and coming down to Calcutta, to represent his Situation to this Government; the Governor General therefore proposes, with the Concurrence of Mr. Wheler, to visit the Province of Oude, as speedily as the Affairs of the Presidency will admit, in Hopes that from a minute and personal Observation of the Circumstances of that Country, the System of Management which has been adopted, and the Characters and Conduct of the Persons employed, he may possibly be able to concert and establish some Plan, by which the Province of Oude may, in Time, be restored to its former State of Affluence, good Order, and Propriety.

"In remedying Evils which have grown to so great a Height, Exertions will be required more powerful and immediate in their Application than can be made through the delegated Authority of the Servants of the Company now in that Province. The Undertaking is arduous and difficult, and the Governor General is far from being sanguine in his Expectations, that even his Endeavours will be attended with much Success, as the Time which he can spare will, he fears, be too short for accomplishing the Ends proposed. The Object however is of Importance, and the Attempt at least deserves to be made.

"The present Time affords the most favourable Opportunity for the Governor General's Visit. The Ships of the Season for Europe are all dispatched. The Business of the Revenues is put into an easy Channel, and will not require much of the Board's Attention; and nothing of any Consequence can happen, after the setting in of the Rains, that can materially affect the Tranquillity of the Country, or the general System of Politicks. But what chiefly renders the present Opportunity favourable, is the mutual Confidence which, after a Period of so many Years, is at Length happily restored between the Members of this Administration, which enables the Governor General to leave Calcutta, with the fullest Reliance that the Affairs of the Presidency, under the Charge of Mr. Wheler, will suffer no Detriment from his Absence, and he is thoroughly convinced, that such a confidential Communication will subsist between them, that the Business in which he and Mr. Wheler may be respectively engaged, will meet with the Concurrence and Approbation of both.

"It is hoped that the Governor General's Visit to Owde will also afford him an Opportunity of negotiating effectually with the Berar Government, and fixing Modagee Bhoeloh to act decidedly and openly in our Favour. Dewagur Pundit, his Minister, who has long dictated the Politicks of the Court of Nagpore, has often professed an Intention of meeting the Governor General to concert Measures with him for the mutual Benefit and Safety of the Governments of Bengal and Berar. But whilst nothing is done to fix his Intentions to a particular Period and Place, they might be postponed from Time to Time, and never carried into Execution. When he is informed of the

Governor General's Design of proceeding to Owde, and that One of the Objects of this ^{Journey} ~~Hurry~~ is to give him a Meeting at Benares, it is probable that he will surmount those Obstacles and Difficulties which have hitherto retarded, and might otherwise still continue to retard him from carrying his Intentions into Execution.

"The Governor General thinks, that about the 15th of July he will be ready to leave the Presidency."

"Mr. Wheler.—The Governor General's Representation of the present State of the Province of Owde, I believe to be but too well founded; and am convinced, that it will require his utmost Abilities

ties and Powers, applied and exercised on the Spot, to restore it to its former good Order and Affluence.

" I admit the Force of the Governor General's Arguments, proving the present Season to be the most favourable for his leaving the Presidency; and the more readily agree to them, from the Opportunity it will afford of negotiating effectually with the Berar Government: But notwithstanding the Greatness of the Objects, which may, and I trust will be attained by the proposed Expedition, I am persuaded that nothing but the Harmony and good Understanding which at this Time prevails in the Council, could induce the Governor General to withdraw his Attention from the Affairs of the Presidency at a Crisis like the present; and unless convinced that I was so fortunate as to possess his entire Confidence, and that I might rely upon receiving his Support and Sanction to the Measures I might deem proper to pursue in his Absence, I should, at this Time, accept with Reluctance so weighty a Charge. For although it may not be difficult to provide for the usual Occurrences of this Government, yet such others may, during his Absence, intervene, and demand immediate Decision, as are not within the Reach of human Foresight; and, in such Instances, I should not be able to exert myself, under the Influence of Distrust or Restraint."

Then the Witness produced Book 36, intituled, "Bengal Secret Consultations."

Read, the following Extract of a Consultation of the 3d of July 1781, beginning at Page 44 of the same Book.

"Fort William, 3d July 1781.

"At a Council, Present,

The Honourable Warren Hastings Esquire, Governor General, President;
and Edward Wheler Esquire.

Lieutenant General Sir Eyre Coote absent on Service at Fort St. George.

Secret Dept.
Tuesday.

"In my Minute, which I laid before the Board on 1st May, I expressed the Satisfaction with which I could at this Juncture leave the Presidency, from the mutual Confidence which was happily established between Mr. Wheler and me. I now readily repeat that Sentiment, and observe with Pleasure that Mr. Wheler confirms it. Before my Departure, it is probable that we shall, in Concert, have provided at the Board for almost every important Circumstance that can eventually happen during my Absence. But if any should occur, for which no previous Provision shall have been made in the Resolution of the Board, Mr. Wheler may act with immediate Decision, and with the fullest Confidence of my Support. In all such Emergencies, as well as in conducting the ordinary Business of the Presidency, and, in general, in all Matters of this Government, excepting those which may specially or generally be intrusted to me, Mr. Wheler, during my Absence, may consider himself as possessed of the full Powers of the Governor General and Council of this Government, as in Effect he is by the Constitution, and he may be assured, that so far as my Sanction and Concurrence shall be, or be deemed necessary to the Confirmation of his Measures, he shall receive them."

Governor
General's
Minute.

"Resolved, That the following Credentials be given to the Governor General.

"Whereas it has been resolved, that the Governor General shall proceed to Benares and Lucknow, for the Purpose of obtaining an Interview with the Nabob Vizier and Duwager Pundit, the Duwan of the Rajah of Berar, and for the other consequent Purposes, which are expressed in the Minute of the Board passed to this Effect on 21st May last: And whereas, besides the said Purposes, others may occur which may require the immediate Presence of the Governor General, with an effective and complete Authority for their Execution; it is hereby resolved, That the Governor General shall be, and is invested with full Powers and Authority to form such Arrangements with the Rajah of Benares, for the better Government and Management of his Zemindarry, and to perform such Acts for the Improvement of the Interest which the Honourable Company possesses in it, as he shall think fit and consonant to the mutual and actual Engagements subsisting between the Company and the Rajah; to assist the Nabob Vizier in forming such Regulations as may be necessary for the Peace and Order of his Government, the Improvement of his Revenue, and the Adjustment of the mutual Concerns subsisting between him and the Company, with such Authority to enforce the same, as the Governor General and Council might or could exercise in Occasions in which they would be warranted to exercise the same, by the Claims which the Honourable Company hold or may have on the Revenues of the Dominions of the said Nabob, and to form and conclude such several Engagements or Treaties with the Nabob Vizier, the Government of Berar, and with any other of the Chiefs or Powers of Hindostan, as he shall judge expedient and necessary, whether for the Termination or more effectual Prosecution of the War with the Marratta State, or for the Advancement of the Interests of the Honourable Company, or for the strict and permanent Establishment and Confirmation of the Alliances which do at present subsist, or which he shall judge it necessary to form with the said Chiefs and Powers respectively; and it is hereby declared, that all such Acts, and all such Engagements or Treaties, made as aforesaid, shall be binding on the Governor General and Council, in the same Manner, and as effectually, as if they had been passed and

Governor
General's
Credentials.

and done by the special and immediate Concurrence and actual Sanction of the Governor General and Council, in Council assembled.

" Given in Fort William under the Seal of the Honourable Company, and under the Hands of the Governor General and Council, this 3d Day of July, in the Year of our Lord 1781.

" The Time approaching for the Governor General's Departure, the Board think it necessary to communicate the following Resolutions to the Commander in Chief, to be published in general Orders.

" The Governor General intending to visit the Dominions of the Nabob Vizier, it is therefore ordered, That all such Orders as he shall, from this Time, think it proper to issue to the Troops stationed beyond the Provinces, as well in the Dominions of the Nabob Vizier as those which are situated beyond them, shall be obeyed, and that his single Authority shall be considered and received as of the same Force as that of the Governor General and Council collectively, until this Order shall be revoked.

" Agreed and ordered, That the Military Power vested in the Honourable Warren Hastings, as Governor and Commander in Chief of the Garrison and Fortrefs of Fort William, and Town of Calcutta, be exercised by Edward Wheler Esquire, during the Absence of the Honourable the Governor General.

" Resolved, That the following circular Letter be written to Colonel James Morgan, &c.

" Sir,

Circular Letter to Colonel James Morgan.

" The Governor General intending to visit the Dominions of the Nabob Vizier, we therefore direct you to obey all such Orders and Instructions as he may from this Time think proper to issue to you, and to the Troops under your Command, in his own Name, and in all Respects to consider his single Authority as of the same Force, until this Order shall be revoked, as that of the Governor General and Council collectively. We are, &c."

" Ordered, That the Secretary do immediately prepare the above Papers; but that they be not issued, until the Governor General shall have taken Leave of the Board.

" The Governor General reports to the Board, That he has made every Preparation for his Departure, and has no Impediment to his setting off immediately but the Necessity of waiting for the Swallow's Dispatches."

The Managers for the Commons acquainted the House, that having conducted the Evidence to the Time Mr. Hastings was upon the Point of leaving Calcutta to proceed to Oude, they should next shew, that in the private Communications which he made at that Time, and in which he mentions the Disaffection of the Rajah Cheyt Sing, he never throws out the smallest Hint or Suspicion against the Begums.

Read, the following Extract from the printed Copy of the Benares Narrative, Calcutta Edition, beginning at Page 12 of the same Book.

[" I can therefore only offer such presumptive Proofs of my Intention as the Nature of it will admit and Accident has provided. These are my early and confidential Declarations, and the Attestations of those to whom they were made."]

§ (" In a Point of such publick Moment, independently of the near Interest which I have in establishing the Truth of it, Mr. Wheler will pardon my Appeal to him, although in one " Light it may tend to involve him in a Participation of the Reproach of those who may regard " every Severity shewn to Cheit Sing as criminal, however founded. He doubtless will recollect " the Conversation which I had with him on the Subject, on the Eve of my Departure from " Calcutta; our mutual Opinion of Cheit Sing's past Conduct; mine of the Justice and Policy of " exacting an exemplary Punishment of it by a large pecuniary Mulct; the Sum to which I " then declared my Resolution to extend it; my Conviction of his Ability to pay it; and the " Two Alternatives on which I had resolved, if he refused to submit to it. He will also remember, that I bespoke his Confidence in the Means which I should use for this End, and his Support in the Issue of them. I entreat him to give me his formal and circumstantial Attestation " of these Facts; and that he will permit it to be inserted in this Part of my Narrative (a).") §

Read also, from the same Book, Page 13, Note*.

" Mr. Wheler.—I have the Pleasure to comply with the Governor General's Request, and will cheerfully record, in this Place, what I at present recollect to have passed between us, at the Time, and on the Circumstances, he mentions.

" I well remember, that, on the Eve of the Governor General's Departure from Calcutta, the Conduct of Cheit Sing, late Rajah of Banaris, was a principal Subject of a confidential Discourse

(a) Vide supra, P. 114, L. 23.

between us; and that he bespoke my Support of the Measures which he intended to pursue towards him. I recollect, that the Governor General thought the Rajah's Offences were such, as to require early Punishment; and as his Wealth was great, and the Company's Exigencies pressing, it was thought a Measure of Policy and Justice, to exact from him a large Pecuniary Mulct for their Relief: The Sum, to which the Governor declared his Resolution to extend the Fine, was Forty or Fifty Lacks; his Ability to pay it was stated as a Fact that could not admit of a Doubt; and the two Alternatives, on which the Governor declared himself to have resolved, if Cheit Sing refused to comply with the Requisition, were, to the best of my Recollection, either a Removal from his Zemeedary entirely; or, by taking immediate Possession of all his Forts, to obtain out of the Treasure deposited in them, the above Sum for the Company (a)."

Read also, from Appendix to the same Book, Page 157.

" SECOND PARCEL.

" Num. 2. A.

" Affidavit of Major Palmer.

" William Palmer, Major in the Service of the Honourable the East India Company in Bengal, maketh Oath, and saith, That about the latter End of the Month of June last, the Honourable Warren Hastings Esquire, Governor General of Bengal, discoursing with this Deponent on the Subject of his intended Journey to Banaris and Lucknow, declared one of the principal Objects of it to be, to exact, from Rajah Cheit Sing, a Fine or Contribution of Fifty Lacks of Rupees, as a Punishment for Breach of Engagements with the Government of Bengal, and for Acts of Misconduct in his Zemeedary. The Governor General further declared to this Deponent, that he knew the Ability of the Rajah to contribute such a Sum to the Exigencies of Government; and that he (the Governor General) was determined to convert the Faults committed by the Rajah into a publick Benefit. The Governor General further declared to this Deponent, in the same Conversation, that an Offer from the Rajah, but indirectly, had been made to him of Twenty Lacks of Rupees for the publick Service, as a Retribution for his Failure of Engagements; but that he (the Governor General) was resolved to insist upon the first mentioned Sum of Fifty Lacks of Rupees; and if the Rajah should absolutely refuse the Demand, that he (the Governor General) would deprive him of his Zemeedary, or transfer the Sovereignty thereof to the Nabob Vizeer.

" W. Palmer.

" Sworn before me, this 4th Day of December 1781,

" E. Impey (b)."

Read also, from Appendix to the same Book, Page 158.

" Num. 2. B.

" Attestation of David Anderson Esquire.

" To the Honourable Warren Hastings Esquire.

" Honourable Sir,

" In Obedience to your Commands, conveyed to me through Major Palmer, I shall endeavour to repeat, as well as I can remember, the Purport of what you were pleased to inform me, before your Departure from Calcutta, of your Intentions regarding Cheit Sing; but as so long an Interval has since elapsed, my Recollection, which has never been strengthened by a Communication, must necessarily be somewhat imperfect.

" After enumerating some of the Resources which you expected to find up the Country, for the Relief of the Company's Exigencies, you mentioned to me the Conduct of Cheit Sing.

" You observed, that he owed his Elevation to the Company; that he was allowed to enjoy a very considerable Income, the Revenue exacted from him being much inferior to the Produce of his Districts; and that his Territories were maintained and defended by the English Army: That, on those Considerations, it had been reckoned equitable, that he should contribute, on an Emergency, to the Support of Wars carried on by that Government, under which he held his Zemeedary, and to which he was indebted for its Protection. Accordingly you mentioned, that a Sum had been demanded from him; that, after some Difficulties, he had agreed to pay it at a certain Period; that, trusting to his Promises, you had made an Assignment on him for the Use of Colonel Camac's Detachment; and that Colonel Camac, relying on his Punctuality, had returned a Bill for a less Sum, which had been sent to him by Mr. Middleton; but that this Confidence had nearly proved fatal to the Detachment, and actually did prove the Cause of retarding the Expedition; that Cheit Sing, in spite of all the Representations which were made to him, delayed so long the promised Payment, that the Officers of the Detachment were reduced to the Necessity of selling their Plate: That you therefore determined to call him to an Account, and oblige him to make an Atonement for his Conduct in this Instance, and the Want of Attachment he had in general shewn to our Government, by paying a considerable Sum of Money to the Relief of the Company's Exigencies;

(a) Vide supra, Page 114, Note.

(b) Vide supra, Page 232.

that, if he consented, you were desirous of establishing his Possession on the most permanent and eligible Footing, but, if he refused, you had in your Power to raise a large Sum for the Company, by accepting of an Offer which had been made for his District by the Vizeer. You minuted the Particulars of Cheit Sing's Conduct, in an Account which you drew up in Calcutta, of the State of the different Powers of Hindostan; though I do not believe that, in that Paper, you expressed the Intentions you had formed; and I remember you told me, that you had communicated to Mr. Wheler your Intentions regarding Cheit Sing; and I believe (though I cannot positively recollect) you said he had concurred in them.

" I am, with the greatest Respect, &c.

" D. Anderson."

" Mahdajee Sindia's Camp, near Dutteah,
" the 14th January 1782 (a)."

Read, also, from the same Book, Page 12.

" I left Calcutta, impressed with the Belief, that extraordinary Means were necessary, and those exerted with a strong Hand, to preserve the Company's Interests from shaking under the accumulated Weights that oppressed them (b)."

Read, also, from Appendix to the same Book, Page 9.

" The Begums will suffer no actual Loss, by the Resumptions of the Jagheers, except of an Influence, which they have invariably employed, to the most pernicious Purposes, against one State which had conferred, and another which secured and protected them (c)."

Read, the following Extract, from the printed Paper, called, " the Second Defence," beginning at Page 4 of the same.

" It has occurred to me, as a Question, which might naturally arise out of the Subject, Why the Begums should have entertained so vehement a Hatred as that by which I have described them to have been actuated against the English Government and Nation? The Answer is obvious to those who know the History of our Connection with the Nabob of Oude. The Begums regarded us as the Oppressors of their House, and the Usurpers of its Inheritance; nor was their Resentment confined to the English. The Nabob himself had his Share in it, for the Sacrifice which he had made of the Province of Benares, against the united Opposition of his Family; and the Nabob Salar Jung, the Brother of Bhow Begum, avowed to me himself, that he had from that Time, withheld himself from all Concern in the Nabob's Councils, and assigned that as the Reason for it. I am sorry that I must in Truth add, that a Part of the Resentment of the Begums, was as I had too much Reason to suspect, directed to myself personally. The Incidents which gave rise to it, are too light to be mixed with the professed Subject and Occasion of this Detail, and, as they want the Authenticity of recorded Evidence, I could lay no Claim to Credit in my Relation of them. At some Period I may be induced to offer them to the World, my ultimate and unerring Judges, both of that and of every other Trait in my political Character (d)."

Read, the following Extract, from Book 113, before delivered in.

" Extract of a Letter from Warren Hastings Esquire to the Court of Directors.

" On the River Ganges, 21 February 1784.

" If it should be objected, that the Allowance of these Demands would furnish a Precedent for others of the like Kind, I have to remark, that in their whole Amount, they are but the Aggregate of a contingent Account of Twelve Years; and if it were to become the Practice of those who have passed their prime of Life in your Service, and filled, as I have filled it, the First Office of your Dominion, to glean from their past Accounts all the little Articles of Expence which their Inaccuracy or Indifference hath overlooked, your Interests would suffer infinitely less by the Precedent, than by a Single Example of a Life spent in the Accumulation of Crores for your Benefit, and doomed in its Close to suffer the Extremity of private Want, and to sink in Obscurity (e)."

The Managers for the Commons acquainted the House, they would next submit to the House, Evidence upon the Subject of the great Present Mr. Hastings received from the Nabob, when he met him at Chunar, previous to signing the Treaty of Chunar; and, First, produce Evidence of the Nabob's Situation at the Time he was supposed to have made the Present.

Read, the following Extract of a Consultation of the 9th of December 1779, from Book 112, before delivered in, beginning at Page 898 of the same Book.

(a) Vide supra, Page 232.

(b) Vide supra, Page 114, Line 7.

(c) Vide supra, Page 141, Line 2 from the Bottom.

(d) Vide supra, Page 367, Line 5.

(e) Vide Appendix, N. XL.

" Fort William, the 13th December 1779.

" At a Council; Present

The Honourable Warren Hastings, Governor General, President;

Richard Barwell,
Philip Francis,
Edward Wheler, } Esquires.

Secret Dept.
Monday.

Sir Eyre Coote on a Visit to the different Stations of the Army.

" Extract of a Letter from Mr. Purling to Warren Hastings Esquire, Governor General, &c. Members of Council, dated Lucknow, the 19th November 1779.

" I have in vain urged him on the glaring Impropriety of refusing Tuncaws upon the same Districts as last Year, and giving them to his own Troops, without Discipline to support his Government, and always ready to plunder every Country to which they have been sent. His Answer has been invariably, that while he had the Means of providing for the Demands of the Company, he has never refused it; but he is now deprived of that Ability, by the Drought which has obliged him to give Deductions to the Amount of Twenty-five Lacks of Rupees; and even now the Aumils are desirous of being released from their Engagements upon the Plea of Inability to comply with them. His Family, and that of his Father and Grandfather, after repeated Promises made to them and broken, are still unprovided for; that he did not believe the Council meant to seize the Expences of his Table and Household, which was all that was now left him. When I quitted him, I declared I did not imagine the Governor and Council would ever consent to the Reform of the new Brigade, and the other present Establishments for his Collections; that, if they were not dismissed, they must be paid, and from the Sources of that Country for the Protection of which they were raised. That I would have him for the Present to consider the Means of granting the Supplies, in the Hope of an Answer more likely to be pleasing to our Government. A Day or two after I received a Letter from him, a Translate of which, No. 3. I think it necessary to lay before you. As I have never been able to induce his Excellency to adopt any other Sentiments than those he first declared, and have received another Letter from him, expressing much Dissatisfaction at my Urgency on a Point he had determined on, and would not give up, unless he should be compelled by the Governor and Council, I have thought it needless to press him further at present, but at his Request have transmitted a Letter from him to the Governor General, setting forth his Distress.

" In this Situation, it only remains for me to lay before you the following Extract of Mr. Nathaniel Middleton's Letter of the 5th instant, the Day on which Charge was delivered to me.

" When I have of late pressed his Excellency for further Assignments, he has pleaded Inability to answer the very heavy Demands which will this Year fall upon him, on account of the Drought which has unfortunately happened, to the almost total Destruction of the Khurreff Harvest, and the consequent Diminution of his Revenue: I am concerned to confess there are but too good Grounds for this Plea. The Misfortune has been general throughout the Whole of the Vizier's Dominions, obvious to every Body; and so very fatal have been its Consequences, that no Person of either Credit or Character would enter into Engagements with Government for farming the Country, without a very heavy Direction * in the last Year's Jumma, which his Excellency has been compelled to allow to all who have hitherto been appointed to Farms; and some who have engaged even under these Circumstances, have to my Knowledge made most urgent Applications to the Nabob and his Ministers to be released from their Obligations, and allowed to relinquish their Farms, which they found they could not hold but at a certain Loss to themselves. You will soon be convinced by undoubted Testimony, and loud Complaints from every Quarter, of the Reality of this Misfortune, which has necessarily been the Means of delaying the general Settlement of the Country, and of preventing my hitherto getting Assignments for more than Rupees 68,82,000; but how far its Operation and Effects preclude the Nabob from answering the Demands upon him on public Accounts, you will be the best able to judge from the Statements you will obtain of his estimated Revenue."

" As it appears from the Whole of this Extract, that Mr. Middleton had met with Obstacles, from a Reason assigned which no human Foresight could prevent, I hope your Honourable Board will not imagine I have been remiss or inattentive; nothing but a compulsive Order from me upon an undefined Right could obtain the Collection of a Rupee more than I have Tuncaws for; and nothing but a decisive and speedy Instruction from you, when the Time elapsed, may not occasion a material Loss in the Revenue, can possibly procure the Grants necessary for the current Disbursements from my Treasury.

" Upon this Principle, it is needless to add, that no Bill from the Presidency can possibly be answered, since the Demands on the Treasury upon the present Establishment exceed the expected Income; and the last Drafts of the Honourable Board, and their Order, for the Payment of Two Lacks and a Half of Rupees to Captain Popham, which has been complied with, have so effectually drained the Treasury, that I have not yet been able to pay the First Brigade for October (a).

(Signed at the End) " E. Purling."

(a) Vide Appendix, N^o XLI.

The Managers for the Commons acquainted the House, they would not here read the Vizier's Letter again, already in Evidence before the House (a), but proceed to a Minute of Mr. Hastings, upon the Representation made by the Vizier in that Letter of the Distress and Famine at Oude.

Read, the following Extract from the same Book, beginning at Page 905.

" Governor General.—I understand the Substance of the Vizier's Letter to be a peremptory Refusal to grant Assignments but for the Expence of the regular Brigade stationed at Cawnpore; a Demand for the Recall, or Reduction of the Troops stationed at Rohilcund for his Service in that District, and his new acquired Dominions in the Doaub; and for the Dismission of the Corps established in his own immediate Service, under the Command of British Officers; viz. Those severally commanded by Major Hannay, Captain Osburne, and the Body Guard under Captain Mordaunt, for the Purpose of substituting additional Establishments of Horse and Foot, under his immediate Command, for the Service of the Revenues. These Demands, the Tone in which they are asserted, and the Season in which they are made, are all equally alarming, and appear to me to require an adequate Degree of Firmness in this Board, in Opposition to them. Without further Comment, I shall proceed to recommend the following Draft of a Letter to be written to Mr. Purling, which, if agreed to, may serve as the Substance of One to be written on the same Subject to the Nabob (b)."

To prove the Nabob's Situation in 1780, the Year before Mr. Hastings met him at Chunar,

Read, Extract of a Letter from the Nabob Vizier to Mr. Hastings—received 24th of February 1780, from Book 116, beginning at Page 136 of the same Book.

" From the Nabob Vizier.

Received 24th February 1780:

" I have received your Letter, and understand the Contents. I cannot describe the Solidity of your Friendship and brotherly Affection which subsisted between you and my late Father. From the Friendship of the Company he received numberless Advantages; and I, notwithstanding I was left an Orphan, from your Favour and that of the Company, was perfectly at Ease, being satisfied that every Thing would be well, and that I should continue in the same Security that I was during my Father's Lifetime, from your Protection. I accordingly, from the Day of his Death, have never omitted to cultivate your Favour, and the Protection of the Company; and whatever was the Desire and Directions of the Council at that Time, I have ever since conformed to, and obeyed with Readiness. Thanks be given to God, that I have never as yet been backward in performing the Will of the English Company, of the Council, and of you, and have always been from my Heart ready to obey them; and have never given you any Trouble from my Difficulties or Wishes. This I have done simply from my Knowledge of your Favour towards me, and from my being certain that you would learn the Particulars of my Distresses and Difficulties from other Quarters, and would then shew your Friendship and Good-will in whatever was for my Advantage: but when the Knife had penetrated to the Bone, and I was surrounded with such heavy Distresses that I could no longer live in Expectations, I then wrote an Account of my Difficulties.—The Answer which I have received to it is such, that it has given me inexpressible Grief and Affliction. I never had the least Idea or Expectation from you and the Council, that you would ever have given your Orders in so afflicting a Manner, in which you never before wrote, and which I could not have imagined. As I am resolved to obey the Orders and Directions of the Council without any Delay, as long as I live, I have, agreeable to those Orders, delivered up all my private Papers to him, that when he shall have examined my Receipts and Expences, he may take whatever remains. As I know it to be my Duty to satisfy you, the Company and Council, I have not failed to obey in any Instance; but requested of him that it might be done so as not to distress me in my necessary Expences. There being no other Funds but those for the Expences of my Muteseddies, Household Expences, and Servants, &c. he demanded these in such a Manner, that, being remediless, I was obliged to comply with what he required. He has accordingly stopped the Pensions of my old Servants of 30 Years, whether Sepoys, Muteseddies, or Household Servants, and the Expences of my Family and Kitchen, together with the Jaghiers of my Grandmother, Mother, and Aunts, and of my Brothers and Dependents, which were for their Support. I had raised 1500 Horse and 3 Battalions of Sepoys, to attend upon me; but as I have no Resources to support them, I have been obliged to remove the People stationed in the Mahals, and to send his People into the Mahals, so that I have not now One single Servant about me. Should I mention what further Difficulties I have been reduced to, it would lay me open to Contempt. Although I have willingly assented to this, which brings such Distress on me, and have in a Manner altogether ruined myself, yet I failed not to do it; for this Reason, because it was for your Satisfaction and that of the Coun-

(a) Vide supra, Page 496.

(b) Vide Appendix, N° XLI.

cil; and I am patient and even thankful in this Condition: but I cannot imagine from what Cause you have conceived Displeasure against me.—From the Commencement of my Administration, in every Circumstance I received Strength and Security from your Favour and that of the Council; and in every Instance you and the Council have shewn your Friendship and Affection for me: but at present, that you have sent these Orders, I am greatly perplexed.

“Sir, I was in Hopes, from your Friendship, that if, which God forbid, any Displeasure should arise in your Mind, you would have first given me your Advice on it, in such a Manner as is usual to Persons of Distinction, and where I should have learnt it, were it true, I should be the more abashed by it; and having explained and reconciled it to you, whatever might be your Wish and that of the Council, which might have been for my Advantage, it should be complied with; or if it had been false, I should have written so to you, that it might be explained to you fully. At present, assenting to every Thing which is required of me, I have executed your Orders; but am in Hopes of your Favour, that I may some Time or other have a Meeting with you, in which I may make known to you all my Distresses, and after that perform whatever may be your Will. I shall not trouble you with long Accounts of my Losses respecting my Affairs; for all my Concerns and Dignity depend on you and the Council, and you will perform every Thing which is for my Advantage and Interest, and for the Honour and Credit of the Company and of you.—This is not delayed by my Requests. As you and my late Father were like Brothers, I am in the same Degree as your Nephew. I am therefore confident, that you will direct whatever may appear to you advisable for me. I am only wishing for a Meeting with you; and I hope from your Friendship, that whatever you may determine upon for this Business, or whatever Place you can come to from Calcutta, you will inform me of it; or should you have no Leisure for it, I will repair to Calcutta. It is necessary you write all these Circumstances to me.—Sir, if from your Friendship you should write your Assent to this, it is well; I will come with great Satisfaction and Pleasure; and although you should forbid my coming, I will not put it off, but shall be the more desirous of it, since I have not One single Person near me who could make much Preparations necessary for the Journey, not even one Attendant. I shall, however, travel alone to your Quarter with great Pleasure. My Situation absolutely requires it, as I cannot at present remain here by any Means. If I have once an Interview with you, I shall have my Heart at Ease; after that, whatever your Orders and those of the Council may be, they shall be obeyed. At present, that it is difficult for me to support myself alive, by the Blessing of God, you who are prudent can remove my Grievs, and are favourably inclined to me, and will perceive, that when I am reduced to that State, that all my Servants are dismissed, and my Household Expences, and even my Kitchen, stopped, how can I support it, or remain alive? I am ready and resolved to preserve the Friendship and Good-will of you and the Council to the utmost of my Life and Property, and have continually obeyed whatever has been your Orders and those of the Council. What the People of Distinction of every Nation desire, that their Name, Honour, and a Sufficiency for their unavoidable Expences, may be preserved to them, I have no other Wish. If, which God forbid, this should not take Place, it will be difficult for me to live One Instant.

“I am therefore hopeful, that you will favour me with an Answer to this Letter, agreeable to my Request. My sole Strength and Security is from your Favour and that of the Council. Further Particulars will be made known to you by Rajah Govind Ram.”

To prove, that Mr. Hastings, in consequence of the above Representation of the Nabob, removed several English Gentlemen from his Court;

Read, the following Extract from Appendix to the Benares Narrative, Page 7.

“With respect to the Removal of the Company’s Servants, Civil and Military, from the Court and Service of the Vizier, I was actuated solely by Motives of Justice to him, and a Regard to the Honour of our national Character. In removing those Gentlemen I diminish my own Influence as well as that of my Colleagues, by narrowing the Line of Patronage, and I expose myself to Obloquy and Resentment from those who are immediately affected by the Arrangement, and the long Train of their Friends and powerful Patrons. But their Numbers, their Influence, and the enormous Amount of their Salaries, Pensions, and Emoluments, were an intolerable Burthen on the Revenues and Authority of the Vizeer, and exposed us to the Resentment of the whole Country, by excluding the native Servants and Adherents of the Vizeer from the Rewards of their Services and Attachment (a).”

To prove a further Representation by the Nabob, with respect to the Expences of the English Gentlemen at his Court, after the above Removal;

Read, the following Extract of a Letter from the Vizier to Mr. M’Pherson, from Book 115, already delivered in.

(a) Vide supra, P. 141, Line 19.

“ Extract of a Letter from the Vizier.

“ Received 21st April 1785.

“ With respect to the Expences of the Gentlemen who are here, I have before written in a covered Manner, I now write plainly, that I have no Ability to give Money to the Gentlemen, because I am indebted many Lacks of Rupees to the Bankers for the Payment of the Company's Debt. At the Time of Mr. Hastings's Departure I represented to him that I had no Resources for the Expences of the Gentlemen. Mr. Hastings having ascertained my distressed Situation, told me, that after his Arrival in Calcutta he would consult with the Council, and remove from hence the Expences of the Gentlemen, and recall every Person, except the Gentlemen in Office here. At this Time that all the Concerns are dependent upon you, and you have in every Point given Ease to my Mind, according to Mr. Hastings's Agreement, I hope that the Expences of the Gentlemen may be removed from me, and that you may recall every Person residing here, beyond the Gentlemen in Office. Although Major Palmer does not at this Time demand any Thing for the Gentlemen, and I have no Ability to give them any Thing, yet the Custom of the English Gentlemen is, when they remain here, they will in the End ask for something. This is best, that they should be recalled (a).”

Read, the following Extract of a Consultation 28th July 1783, from Book 81, already delivered in, beginning at Page 60 of the same Book.

“ Fort William, 28th July 1783.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheeler, } Esquires.
John Stables, }
Mr. Macpherson, indisposed.

“ Extract of Mr. Middleton's Defence, in a Letter to the Board, dated Calcutta, 30th June 1783.

“ But the Year 1180, from unforeseen Events, was already began ere the Treaty was signed, and these large Bodies could not be removed without some previous Notice. Between Two and Three Months were assigned them for Preparation, in which Time it was supposed sufficient Funds would have been forthcoming for their Discharge. The paying them off, involved another Balance of Arrears to them respectively, not included in the Balance of 1187 and 1188 to the Company. These Arrears further swelled in their Amount, because the Monthly Collections to the Period of their Discharge were not equal to their Pay and Arrears, and a Provision for the other indispensable Disbursements of my Office, which obliged me to devise other Means of liquidating them; accordingly, after long Negotiation, attended with much Difficulty, I accomplished a Loan, at the Beginning of the Year, on my own Credit, of 10 Lacks; without which Exertion, the Resources of the whole Year would have been clogged with the increasing Amount of these Arrears. While the Effect of my Negotiation was yet in Suspence, another Balance before we heard of, amounting to upwards of 26 Lacks, was sent up from the Presidency. Why this Balance was unknown to the Resident, to the Governor General, and consequently not included at the signing of the Treaty, will be shewn in its proper Place. I had pledged myself to the Governor General for realizing the Company's Balance, which of course meant the Balance in Agitation before us at the signing of the Treaty, which had this for its declared Object (b).”

To prove that Mr. Hastings took the Bribe charged in this Article,

Read, the following Letter from Mr. Hastings to the Court of Directors, dated, Patna, 20th January 1782, from Book 29, already delivered in.

“ Patna, 20th January 1782.

“ To the Honourable the Secret Committee of the Honourable Court of Directors.

“ Honourable Sirs,

“ While the Nabob Vizier was at Chunar, an Offer of a very considerable Sum of Money was made to me, both on his Part, and on that of his Ministers, as a Present. I accepted it without Hesitation, and gladly, being entirely destitute both of Means and Credit, whether for your Service, or the Relief of my own Necessities. This Donation was not made in Specie, but in Bills, which have been in Part only, and tardily realized, being drawn on the House of Gopaul Dafs, who was at the Time a Prisoner in the Hands of Cheit Sing. The Remainder is in Course of Payment, and I make no doubt of its being paid. What I have received has been laid out in the Publick Service. The Rest shall be applied to the same Account. The nominal Sum is Ten Lacks of Rupees, of the Currency of Oude. As soon as the Whole is completed, I will transmit to you a faithful Account of it, resigning the Disposal of it entirely to the Pleasure of Your Ho-

(a) Vide Appendix, N° XLII.

(b) Vide Appendix, N° XLIII.

nourable Court. If you shall adjudge the Deposit to me, I shall consider it as the most honourable Approbation and Reward of my Labours; and I wish to owe my Fortune to your Bounty.

"I am now in the Fiftieth Year of my Life, I have passed Thirty-one Years in the Service of the Company, and the greatest Part of that Time, in Employments of the highest Trust. My Conscience allows me boldly to claim the Merit of Zeal and Integrity; nor has Fortune been unpropitious to their Exertions. To these Qualities I bound my Pretensions. I shall not repine, if you shall deem otherwise of my Services; nor ought your Decision, however it may disappoint my Hope of a Retreat, adequate to the Consequence and Elevation of the Office which I now possess, to lessen my Gratitude for having been so long permitted to hold it; since it has, at least, enabled me to lay up a Provision, with which I can be contented in a more humble Station.

"I have the Honour to be,

"Honourable Sirs,

"Your most faithful, and most

"Obedient Servant,

"Warren Hastings."

Then NATHANIEL MIDDLETON Esquire was again called in.

Q. Did you negotiate any Loan for the Nabob in the Year 1781?

A. I did negotiate a Loan for the Nabob; I do not exactly remember the Time.

Q. How near to the Year 1781 was it, according to your Recollection?

A. I think it must have been the End of the Year 1781.

Q. You recollected it very accurately Yesterday?

A. It was the End of 1781.

Q. Was it before you joined Mr. Hastings at Chunar?

A. No; it was afterwards. In my Examination before the Committee last Night, I made a Mistake of Dates; it certainly was after I saw Mr. Hastings at Chunar.

Q. Before what Committee do you mean?

A. The Committee of the Honourable Managers.

Q. Had you any Profit or Advantage upon that Loan?

A. None.

Q. Why did the Nabob apply to you to borrow that Sum of Money?

A. I do not recollect that the Nabob applied particularly to borrow the Money; the Intention of borrowing the Money was to pay off the Establishments that were dismissed from the Nabob's Service in consequence of the Treaty of Chunar.

Q. You said you negotiated a Loan for the Nabob; did he or not apply to you for that Purpose?

A. I don't recollect any express Application for that Purpose; it must have been in Concert with the Minister.

Q. Did any of the Ministers apply to you for that Purpose?

A. I apprehend they did.

Q. Then the Question is, Do you know upon what Account it was that the Nabob or his Ministers made an Application to you to negotiate that Loan?

A. Because the Money was wanted; and I do not apprehend the Nabob could have borrowed it without I had given him Assistance at that Time.

Q. I understand you, that the Nabob had not Credit from the Bankers at Lucknow without your Security. Did you give any Security for the Money?

A. No, I did not.

Q. Do you mean to say, that the Nabob would not have had Credit, without your interposing to give him Credit by negotiating the Loan?

A. I apprehend he would not.

Q. Did you give any Security?

A. No, no Security; but I promised to repay the Money out of the first Funds I should become possessed of: I gave no Security.

Q. What were those Funds?

A. The Nabob's Funds.

Q. How were you to be in Possession of them?

A. By the Assignments I had upon the Country:—From the Produce of the Assignments I was in Possession of.

Q. Were

Q. Were those Assignments made for the Purpose of repaying this Sum ?

A. They were given for the publick Service in general ; not expressly for this Purpose. If it is not wasting your Lordships' Time, I beg that Part of my Defence may be read from which this is taken ; where it will appear for what Purpose this Money was taken up.

Read, the following Extract of Mr. Middleton's Defence, from Book 81, already delivered in, beginning at Page 59.

" When I took Charge of the Office of Collector of the Vizier's Assignments to the Company, this Balance upon the Resident's Book, closed to the End of the Fussullee Year 1187, was 32 Lacks, exclusive of 10½ Lacks Army Donation. In the Year 1188, it encreased 12 Lacks, making 44 Lacks, when the Governor General arrived at Benares, the Beginning of 1189. To discharge so much of this Balance as was due to the Company, therefore, was the Object of the Treaty ; and to ensure the Accomplishment of it in the shortest Time possible, a Plan was laid down, one Part of which was, the Suspension of sundry current Claims upon the Nabob, such as Mr. Wombwell's Office, and the Temporary and Cavalry Brigadeers ; which together amounted to so heavy an Expence, that, with the Continuance of them, even the current annual Claim could not be answered, much less the abovementioned Balance liquidated. But the Year 1180, from unforeseen Events, was already begun ere the Treaty was signed, and these large Bodies could not be removed without some previous Notice : Between two and three Months were assigned them for Preparation, in which Time, it was supposed, sufficient Funds would have been forthcoming for their Discharge. The paying them off involved another Balance of Arrears to them respectively, not included in the Balance of 1187 and 1188, to the Company. These Arrears further swelled in their Amount, because the monthly Collections, to the Period of their Discharge, were not equal to their Pay and Arrears, and a Provision for the other indispensable Disbursements of my Office, which obliged me to devise other Means of liquidating them. Accordingly, after long Negotiation, attended with much Difficulty, I accomplished a Loan at the Beginning of the Year, on my own Credit, of 10 Lacks ; without which Exertion, the Resources of the whole Year would have been clogged with the increasing Amount of these Arrears (a)."

Then the following Question was put to the Witnesses :

Q. What was the Amount of the Loan you negotiated ?

A. Ten Lacks.

Q. Do you think the Nabob could not have obtained it from Goopal Das, at Benares ?

A. I do not apprehend he could at that Time.

Q. Did you ever, at any Time, know the Nabob to be in greater Distress, than he was at the Time he left Lucknow, to join Mr. Hastings at Chunar ?

A. No : I believe he was in as great Distress as at any Time I had known him. It was at the Beginning of the Year, before the Collections of the Country came in ; consequently, he was left very much without Resources.

Q. Did Mr. Hastings inform you, that the Nabob, immediately upon his Arrival at Chunar, had given him a Present of One hundred thousand Pounds ?

A. He did not.

Q. Did you leave Lucknow with the Nabob ?

A. Yes.

Q. Did Haffin Reza Cawn, and Hyder Beg Cawn, accompany you and the Nabob to Chunar ?

A. Haffin Reza Cawn did ; Hyder Beg Cawn, I believe, went on the Day before, and arrived at Chunar before the Nabob.

Q. Did you send, or cause to be sent, any Sum of Money from Lucknow to Benares, during the Troubles at that Time at Benares ?

A. I do recollect a Sum of Money being remitted, by Means of Major Roberts, who commanded a Company of Sepoys ; and he escorted the Treasure down to Chunar.

Q. By whose Order ?

A. By Mr. Hastings's Order.

Q. To what Purpose did you understand the Money to be destined ?

A. I understood it was destined for the Payment of the Troops at Chunar.

Q. Did Mr. Hastings at that Time express himself to you as under great Apprehension for want of Money to pay the Troops ?

A. As I recollect, the Order of Mr. Hastings for the Remittance of this Money was by Letter, before I had joined him at Chunar.

Q. But after you had joined him at Chunar, did Mr. Hastings express himself under any Apprehension for Want of Money to pay the Troops?

A. I do not recollect that he expressed himself to me particularly; but I have heard he was much distressed for Money to pay the Troops, and under Apprehension for the Consequences; but I cannot say he ever expressed himself in that Way to me.

Q. Did Mr. Hastings ever make any Mention to you, while at Chunar, of his having received this Present of Ten Lacks, or £. 100,000?

A. No.

Q. When did you first hear Mr. Hastings had taken the Present?

A. I am not certain I heard of it before my Arrival in England. It is possible I might, but I cannot charge my Memory with it. I think the first Time I heard of it was after my Arrival in England.

Q. Was not you at that Time confidentially employed by Mr. Hastings in negotiating the Treaty of Chunar with the Nabob, or his Ministry, or with both?

A. I was in Mr. Hastings' Confidence very much at that Time, as I conceived, and was employed between him and the Nabob in such Negotiations with the Nabob as Mr. Hastings himself did not personally engage in.

Q. Had you not at that Time a Knowledge of the State of the Nabob's Treasury, and also of all his Resources?

A. No; I cannot say I had an intimate Knowledge of it.

Q. What Degree of Knowledge had you of them; because you said just now you thought he never was poorer?

A. I did conceive he was in very poor Circumstances at that Time with respect to Treasure.

Q. Had you any, and what Sort of Knowledge of the State of his Treasures, or of the State of his Resources?

A. I had no positive Knowledge of the State of his Treasures, it was only from my own Belief, and his own Complaints.

Q. Do you think Mr. Hastings could have entirely concealed the Receipt of this Present from you, who were confidentially employed by him in the Negotiation between him and the Nabob, without a considerable Degree of Care and Management?

A. I conceive that some Care must certainly have been used to conceal it, or I should probably have come to the Knowledge of it.

Q. Do you conceive the Present was made in Money or Bills; or do you know in what Manner the Money was paid?

A. I should imagine it must have been made in Bills: I do not speak from any positive Knowledge of the Fact.

Q. Have you any Reason to know it was made in Bills?

A. No other, than that I conceive so large a Sum of Money could not have been transported without my being acquainted with it.

Q. Had you not yourself considerable Transactions with all the great Bankers with whom the Nabob had Dealings or Connections?

A. Yes: I conceive I had Transactions with most of them.

Q. Had you Connections with Gopaul Doss of Benares?

A. Gopaul Doss had an Agent at Lucknow, with whom a great Part of the Company's Business was managed.

Q. And consequently you had Transactions with him?

A. Yes.

Q. When you first heard of this Present being given to Mr. Hastings, in what Manner did you understand it was made?

A. I cannot recollect in what Manner it was communicated to me; I rather think the first I heard of it was from the Papers published from the Reports of the Committee.

Q. Did you not hear it was in Bills from Gopaul Doss?

A. Yes, from those Papers; but I knew nothing of it in India.

The Counsel for the Defendant objected to this as any Evidence.

Q. Whether you know any Circumstances which would have enabled the Nabob to borrow Ten Lacks from Gopaul Doss for the Purpose of making Mr. Hastings a Present, when he could not borrow any Sum for the Purpose of paying his own Troops, or for any other Purpose?

A. No, I do not know how he could have transacted it.

Q. Do you know whether he had Credit with Gopaul Dofs, or had you any Means of knowing it?

A. No, I had no Means of knowing it positively.

Q. Had you, or not, any Means of knowing the Extent of the Nabob's Credit with Gopaul Dofs?

A. No certain Means: When I said, the Nabob, I supposed, would not have had Credit to have borrowed the Sum of Money I assisted him in borrowing, I did not mean to say, he might not have Resources within himself to pay it; he had Resources probably within himself, that I was not acquainted with.

Q. But when he wanted Money, you said, you thought your Interposition was necessary to raise that Money?

A. Yes.

Q. And that is from your Observation of his Circumstances?

A. Yes.

Q. Would not those Ten Lacks, which you state to have been given to Mr. Hastings at Chunar, have answered the Purpose for which the Nabob borrowed the Ten Lacks from you?—What was the Difference in Point of Time?

A. I imagine about Six Weeks or Two Months after my Arrival.

Q. Need he have borrowed Ten Lacks more, if he had had that which was given to Mr. Hastings?

A. No, he would have had no Occasion for it.

Then the following Letter from Mr. Palmer to Mr. Middleton was read, from Mr. Middleton's Letter-Book, marked C.

“ To Nathaniel Middleton Esquire.

“ Sir,

“ The Governor General desires, that you will please to order an Escort for such Treasure, as the Gomastah of Gopaul Dofs has to transport from Lucknow to Benares, for the publick Service, from Time to Time.

“ Benares,

“ 24th October 1781.

“ I am, Sir,

Your most obedient, humble Servant,

(Signed)

William Palmer, Military Secretary.”

Then the following Question was put to the Witnesses:

Q. Was it usual for you to receive Orders through Major Palmer, respecting the publick Treasures?

A. This is the only one I recollect to have received.

Q. Whether you have any Reason to know or believe, that the Treasure afterwards taken from the Begum, enabled the Nabob to discharge those Bills upon Gopaul Dofs, that were given to Mr. Hastings?—Do you know any Thing of the Discharge of those Bills?

A. No, I do not.

Q. Do you know any Thing of the Application of the Treasure which was raised from the Begums?

A. It was paid to the Resident, upon the Company's Account.

Q. The Question is, Whether you know if the Application of any Part of that Treasure went to Gopaul Dofs, to pay those Bills?

A. I believe not.

Q. From what other Fund do you think the Nabob paid those Bills, at the Time Mr. Hastings states them to have been realized?—Do you know any Thing of the Manner in which Gopaul Dofs was reimbursed for his Advances to Mr. Hastings?

A. No, I do not; I apprehend it must have been from the Revenues of the Nabob's Country.

Q. Do you know at what Time Gopaul Dofs was reimbursed for the Advance he made for the Nabob to Mr. Hastings?

A. No, I do not.

Q. Had you not in January 1782, at the Time of seizing the Begum's Treasures, Assignments and Claims which covered all the Revenues of the Country that were at the Nabob's Disposal?

The Question repeated at the Desire of the Witnesses.

A. No, certainly not.

The

The Managers for the Commons being asked, What they meant by the Word " Claims " made Answer, " Demands on the Part of the Company."

Then the following Question was put to the Witnesses :

Q. Whether the Assignments you actually had, and the Claims you were at that Time pressing for, taking them together, would not have covered the whole Revenues of the Country ?

A. As I understand the Question now, I must answer it in a different Manner : As I understood it before, it was, whether I had Assignments covering the whole Revenue of the Country ; to which I answered, I certainly had not ;—but if the publick Claims were also added, and Assignments obtained for the Whole, they clearly would have covered all the Revenue the Nabob had to dispose of.

Q. Then, could the Nabob have found Means of paying this Present in January 1782, without holding back from the Company some Part of that Property upon which you had Assignments for, and which you were pressing for Assignments upon ?

A. No ; I do not know any Resources he had.

Q. From what Funds or Resources do you believe the Nabob offered a Second Present of 100,000l. to Mr. Hastings, after receiving the Treasure of the Begums ? Do you know of any Second Present being offered to Mr. Hastings ?

A. I hope your Lordships will excuse my answering that Question, as I conceive it may criminate myself.

Here the Clerk read over the Question to the Witness, and the Answer.

Q. Do you know of a Second Present being offered Mr. Hastings ?

A. I hope your Lordships will excuse my answering that Question, as I conceive it may criminate myself.

Q. Do you know of a Present being offered through any other Medium than yourself ?

A. No.

Q. The Question then is, Did the Nabob offer a Present through you to Mr. Hastings ?

Question objected to.

Q. Whether you conceive yourself to have been suspected and charged by Mr. Hastings with having received a Sum of Money yourself upon Account of the Treaty of Chunar ?

A. No ; I was not charged ; but I received a Letter from Mr. Hastings, which I considered as an Implication of taking Money.

Q. What Reply did you make to that Implication ?

A. I made a most solemn Disavowal of it, and of every Imputation of the Kind that it was in my Power to make, offering at the same Time to confirm upon Oath what I then wrote to Mr. Hastings.

Q. Did Mr. Johnson, the Assistant Resident, make the same Disavowal ? Was he charged also ?

A. The Imputation seemed to be directed to us Two.

Q. Do you know any Thing of Mr. Johnson's having made such Avowal ?

A. We made a joint Disavowal.

Q. Did you never hear from Mr. Johnson, or from Hyder Beg Cawn, any Mention whatever, at any Time while he was in India, of this Present ?

A. No ; I don't recollect that I ever did.

Q. Do you know from what Fund the East India Company's Forces were paid, from the Time of the Troubles downwards till the 20th of January 1782 ?

A. No ; I do not know of any other than the Remittance I have stated, made from Lucknow. That, I take it for granted, went in part Payment of the Army ; but it could only make a small Part.

Q. What was the Amount of that Remittance ?

A. Only One Lack of Rupees.

Q. That was the Remittance under the Escort of Major Roberts ?

A. Yes.

Q. Do you know what the Pay of the Army at Chunar would amount to at the Period I have mentioned ?

A. I do not know what that Army consisted of.

Q. Do

Q. Do you know whether Mr. Hastings supplied the Army with Money during that Time, or any Part of that Time, borrowed upon his own private Credit, or how otherwise?

A. I have no Knowledge of it.

Q. Whether, prior to the Time of the Vizier's Departure from Lucknow to Chunar, in December 1781, he had his usual Train of Attendants and Servants about him, and whether he lived in his usual State?

A. I observed no Difference whatsoever.

Q. Was the usual State of the Vizier that of a very considerable Prince, splendid and expensive, or do you know what it was?

A. It must have been very expensive, his Attendants were very numerous.

Q. And as great as any other Indian Prince?

A. It was the greatest I ever saw in Point of Splendour and Appearance.

Q. Do you not know, that after the Treaty of Chunar, and after the Arrangements that took Place upon it, the Sum of 40 Lacks, or 400,000 l. a Year, was set apart for the private Expences of the Vizier?

A. I do not recollect the exact Sum, but between 30 and 40 Lacks.

Q. Whether in saying as you did just now, that the Assignments and Claims of the Company would have covered the Whole of the Revenues, you meant to include those 40 Lacks, or only the Remainder of the Revenues, after deducting the 30 or 40 Lacks that were set apart for his own private Establishment?

A. I believe it would not have left the 40 Lacks free.

Q. Do you know what was the actual Amount of the Assignments?

A. I do not at this Time recollect the Amount.

Q. Have you any Knowledge of the Amount of the Claims, or the Assignments you had?

A. I cannot from Memory state it.

Q. Have you any Knowledge of the Extent of the Nabob's Revenues One Year with another?

A. I recollect the Gross Revenue of the Nabob's Country was about Two Crores and 25 Lacks, happening to look into my Defence this Morning, where it is mentioned, and, I suppose, upon good Authority.

Q. Have you any Notion what the net Revenue was?

A. I cannot venture to speak with any Accuracy as to that.

Q. Do Two Crores and 25 Lacks amount to 2,250,000 l. Sterling Money?

A. Yes.

Q. Whether the Troops assembled with Mr. Hastings, at Chunar, at the Time you came down to Chunar from Lucknow, were not very considerably in Arrear in their Pay?

A. I understood they were considerably in Arrear.

Q. Do you know how many Months Pay were due to them at that Time?

A. I cannot say how many Months they were in Arrear: I understood they were very considerably in Arrear.

Q. Whether you apprehend it might have been very dangerous to the British Interest in India, and considering the Situation of the Provinces at that Time, that the Troops should be left considerably in Arrear?

A. It must depend a good Deal upon how much they were in Arrear; the Troops in India are used to be in Arrear, therefore I conceive if they were not much in Arrear they would not.

Q. Do you know of the Forces under Captain Williams and Major Macdonald deserting, and turning their Arms against them, for Want of their Pay?

A. I do not know the Fact of my own Knowledge; but I heard that very considerable Bodies of Troops did leave their Officers, particularly Captain Williams; and those of Major Macdonald I have heard did.

Q. (*by the Managers*). Whether you do not know that it is one of the Charges against the Begums, that they excited the Troops to desert their Officers?

A. It appears so, upon the Affidavits that were taken respecting that Business.

Q. Is the long Want of Pay alledged, in any Part of that Charge, as the Cause of that Mutiny?

A. I do not recollect it is.

Q. What Situation was Mr. Johnson in?

A. Mr. Johnson, here mentioned, was, no Doubt, my Assistant at Lucknow.

Q. Was he left to supply your Place in your Absence?
A. He was.

Read, the following Extract of Appendix to a Consultation of 12 June 1783, from Book 82, already delivered in, beginning at Page 182 of the same Book.

“ Extract of a Letter from Mr. Johnson, to the Governor General at Benares, dated at Lucknow, 28 December 1781.

“ Your Letter of the 24th is just arrived, ordering the temporary Brigade to be again put on the Vizier's List, which the late Treaty had just eased him of. Nothing less than Blows can effect this; for he is not even able to pay off the Arrears still due to it for the last Year, which, with the 2½ Months stipulated by the Treaty, amount to 9 Lacks, by Mr. Day's Statement. Upwards of 12 Lacks have been paid to Mr. Wombwell, besides Remittances made to the 2d Brigade and Colonel Muir; and scarce 6 Lacks have yet been collected; a hard Strain of private Credit alone has made these large extra Payments; and total Ruin must inevitably be the Consequence of any Interruption in the Recovery of the Money advanced. However, this is merely a private Consideration, and therefore cannot weigh in publick Measures but in a publick Light. The Troops being all in Arrears, and no Possibility of present Payment, so large a Body assembled here without any Means in Hand to check or controul them, nothing but Disorder could follow.

“ As one Proof that the Nabob is as badly off for Funds as we are, I may inform you that his Cavalry rose this Day upon him, and went all armed to the Palace to demand from 13 to 18 Months Arrears due to them; and with great Difficulty * persuaded to retire, which was probably more effected by a Body of Troops getting under Arms to go against them, than any other Consideration (a).”

* Sic in Orig.

Read, the following Extract from Mr. Middleton's Defence, from Book 81, Page 73.

“ Let me here be permitted to observe, that had the whole Claims and Expectations of the Year been persisted in, they would have amounted to near Double the Nabob's Net Revenue, viz.

Current Claims	—	—	—	76,00,000
Chunar Balance, including Donation		—		55,00,000
Further Balance, to April 1779		—	—	26,00,000
Ditto, April 1780		—	—	14,00,000
Major Palmer's Claims	—	—	—	82,00,000
				<hr/>
				2,53,00,000

Upwards of Two Crores and a Half, besides Arrears to Troops recalled and Failures above explained, for which the Minister rated 25 or 26 Lacks more. The Nabob's net Revenue, to my Knowledge, never exceeded a Crore and a Half, but generally fell very short of that Sum (b).”

Then the following Question was put to the Witnesses:

Q. You said, you had looked at some Book this Morning; is that the Book you looked at?
A. Yes, it is.

Q. Does that furnish you with the Account you gave, that the Nabob's gross Revenue was Two Crore Twenty-five Lacks?
A. It does.

Q. (from a Lord.) What were the Army Donations?

A. A Sum of Money engaged by Sujah Dowlah, the late Vizier, for the Company's Troops employed in the Rohilla Campaign.

Q. Is it distinct from the ordinary Pay?

A. Yes.

Q. You were understood to say, there were Four Lacks of Rupees sent from Lucknow to Chunar; did you mean to say there were Four Lacks sent, or that there was only One?

A. Only One.

The Witnesses was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

(a) Vide Appendix, N° XLV.

(b) Vide Appendix, N° XLVI.

Die Mercurij, 30^o Aprilis 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons acquainted the House, they would now proceed to submit to their Consideration further Evidence respecting the Present received by Mr. Hastings at Chunar; namely, Mr. Hastings's own Account of that Transaction; his Acknowledgment of it to the Court of Directors, when, as he himself states, it could be no longer concealed; and his Application to the Company to have it allowed to himself.

Then Mr. ROBERT HUDSON was called in, and produced a Paper indorsed as follows:

“ Cheltenham, 11th July 1785.

“ Letter from Warren Hastings Esquire, in Answer to the Court's Letter to Bengal, by the Surprise, respecting Presents received by him in Bengal; read in Court 13th Ditto.”

The same was delivered to the Counsel for the Defendant, and by them shewn to the Defendant, who acknowledged the Signature to be his Hand Writing.

Read, the same, as follows:

“ William Devaynes Esquire, Chairman of the Honourable the Court of Directors.

“ Sir,

“ The Honourable Court of Directors, in their General Letter to Bengal by the Surprise, dated the 16th March 1784, were pleased to express their Desire, that I should inform them of the Periods when each Sum of the Presents mentioned in my Address of the 22d May 1782, was received; what were my Motives for withholding the several Receipts from the Knowledge of the Council, or of the Court of Directors; and what were my Reasons for taking Bonds for Part of these Sums, and for paying other Sums into the Treasury as Deposits on my own Account.

“ I have been kindly apprized, that the Information required as above is yet expected from me. I hope that the Circumstances of my past Situation, when considered, will plead my Excuse for having thus long withheld it. The Fact is, that I was not at the Presidency when the Surprise arrived; and when I returned to it, my Time and Attention were so entirely engrossed to the Day of my final Departure from it, by a Variety of other more important Occupations, of which, Sir, I may safely appeal to your Testimony, grounded on the large Portion contributed by myself, of the Volumes which compose our Consultations of that Period, that the Submission, which my Respect would have enjoined me to pay to the Command imposed on me, was lost to my Recollection, perhaps from the stronger Impression which the first and distant Perusal of it had left on my Mind, that it was rather intended as a Reprehension, for something which had given Offence in my Report of the original Transaction, than as expressive of any Want of a further Elucidation of it.

“ I will now endeavour to reply to the different Questions which have been stated to me, in as explicit a Manner as I am able. To such Information as I can give, the Honourable Court is fully entitled; and where that shall prove defective, I will point out the easy Means by which it may be rendered more complete.

“ First, I believe I can affirm with Certainty, that the several Sums mentioned in the Account transmitted with my Letter above mentioned, were received at, or within a very few Days of the Dates which are prefixed to them in the Accounts. But as this contains only the gross Sums, and each of these was received in different Payments, though at no great Distance of
Time,

Time, I cannot therefore assign a greater Degree of Accuracy to the Account: Perhaps the Honourable Court will judge this sufficient for any Purpose to which their Inquiry was directed; but if it should not be so, I will beg leave to refer for a more minute Information, and for the Means of making any Investigation which they may think it proper to direct, respecting the Particulars of this Transaction, to Mr. Larkins your Accountant General, who was privy to every Process of it, and possessed, as I believe, the original Paper which contained the only Account that I ever kept of it. In this each Receipt was, as I recollect, specifically inserted with the Name of the Person by whom it was made; and I shall write to him to desire that he will furnish you with the Paper itself, if it is still in Being, and in his Hands, or with whatever he can distinctly recollect concerning it.

“ For my Motives for with-holding the several Receipts from the Knowledge of the Council, or of the Court of Directors, and for taking Bonds for Part of those Sums, and paying others into the Treasury as Deposits on my own Account, I have generally accounted in my Letter to the Honourable the Court of Directors, of the 22d May 1782; namely, that ‘ I either chose to conceal the first Receipts from publick Curiosity, by receiving Bonds for the Amount; or possibly acted without any studied Design which my Memory, at that Distance of Time, could verify; and that I did not think it worth my Care, to observe the same Means with the rest.’ It will not be expected, that I should be able to give a more correct Explanation of my Intentions, after a Lapse of Three Years, having declared at the Time that many Particulars had escaped my Remembrance; neither shall I attempt to add more than the clearer Affirmation of the Facts implied in that Report of them, and such Inferences as necessarily, or with a strong Probability, follow them. I have said, that the Three first Sums of the Account were paid into the Company’s Treasury without passing through my Hands. The Second of these was forced into Notice by its Destination and Application to the Expence of a Detachment, which was formed and employed against Mahdajee Scintia, under the Command of Lieutenant Colonel Carnac, as I particularly apprised the Court of Directors, in my Letter of the 29th December 1780. The other Two were certainly not intended, when I received them, to be made publick, though intended for publick Service, and actually applied to it. The Exigencies of the Government were at that Time my own, and every Pressure upon it rested with its full Weight upon my Mind. Wherever I could find allowable Means of relieving those Wants, I eagerly seized them; but neither could it occur to me as necessary, to state on our Proceedings every little Aid which I could thus procure, nor do I know how I could have stated it, without appearing to court Favour by an Ostentation which I disdained, nor without the Chance of exciting the Jealousy of my Colleagues by the constructive Assertion of a separate and unparticipated Merit derived from the Influence of my Station, to which they might have laid an equal Claim: I should have deemed it particularly dishonourable to receive, for my own Use, Money tendered by Men of a certain Class, from whom I had interdicted the Receipt of Presents to my Inferiors, and bound them by Oath not to receive them: I was therefore more than ordinarily cautious to avoid the Suspicion of it, which would scarcely have failed to light upon me had I suffered the Money to be brought directly to my own House, or to that of any Person known to be in Trust for me; for these Reasons I caused it to be transported immediately to the Treasury. There I well know, Sir, it could not be received without being passed to some Credit, and this could only be done by entering it as a Loan, or as a Deposit. The first was the least liable to Reflection, and therefore I had obviously Recourse to it. Why the Second Sum was intended as a Deposit, I am utterly ignorant. Possibly it was done without any special Direction from me, possibly because it was the simplest Mode of Entry, and therefore preferred, as the Transaction itself did not require Concealment, having been already avowed.

“ Although I am firmly persuaded that these were my Sentiments on the Occasion, yet I will not affirm that they were. Though I feel their Impression as the Remains of a Series of Thoughts retained on my Memory, I am not certain that they may not have been produced by subsequent Reflection on the principal Fact, combining with it the probable Motives of it. Of this I am certain, that it was my Design originally to have concealed the Receipt of all the Sums, except the Second, even from the Knowledge of the Court of Directors. They had answered my Purpose of publick Utility; and I had almost totally dismissed them from my Remembrance. But when Fortune threw a Sum in my Way of a Magnitude which could not be concealed, and the peculiar Delicacy of my Situation at the Time in which I received it, made me more circumspect of Appearances, I chose to apprise my Employers of it, which I did hastily and generally; hastily, perhaps, to prevent the Vigilance and Activity of secret Calumny; and generally, because I knew not the exact Amount of the Sum of which I was in the Receipt, but not in the full Possession: I promised to acquaint them with the Result as soon as I should be in Possession of it; and in the Performance of my Promise I thought it consistent with it, to add to the Account all the former Appropriations of the same Kind; my good Genius then suggesting to me, with a Spirit of Caution, which might have spared me the Trouble of this Apology, had I universally attended to it, that if I had suppressed them, and they were afterwards known, I might be asked, what were my Motives for with holding Part of these Receipts from the Knowledge of the Court of Directors, and informing them of the rest.

“ It being my Wish to clear up every Doubt upon this Transaction which either my own Mind could suggest, or which may have been suggested by others; I beg Leave to suppose another

Question, and to state the Terms of it in my Reply, by informing you that the Indorsement on the Bonds was made about the Period of my leaving the Presidency in the Middle of the Year 1781, in order to guard against their becoming a Claim on the Company as Part of my Estate, in the Event of my Death occurring in the Course of the Service on which I was then entering.

" This, Sir, is the plain History of the Transaction. I should be ashamed to request that you would communicate it to the Honourable Court of Directors, whose Time is too valuable for the Intrusion of a Subject so uninteresting, but that it is become a Point of indispensable Duty; I must therefore request the Favour of you to lay it at a convenient Time before them. In addressing it to you personally, I yield to my own Feelings of the Respect which is due to them as a Body, and to the Assurances which I derive from your experienced Civilities, that you will kindly overlook the Trouble imposed by it.

" I have the Honour to be,
Sir,

" Cheltenham,
the 11th July 1785.

Your very humble, and
Most obedient Servant,

" Warren Hastings."

Then the Witness produced Book 82, intituled, " Bengal Secret Council, 2d June to 30th Ditto, 1783."

Read, the following Letter to the Governor General, dated Fayzabad, 10th January 1782, and signed Nath. Middleton, from a Consultation of 12th June 1783, beginning at Page 226 of the same Book.

" Fort William, 12th June 1783.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheler, } Esquires.
John M^rPherson, }
John Stables, }

" Letter from Mr. Middleton to Warren Hastings Esquire.

" I was honoured with your Letter of the 1st instant on the Road, as also your subsequent Commands of the 2d and 3d; to which I shall pay the most submissive Obedience, and at present trouble you with no other Observations on the Points they contain, excepting a Paragraph in the first, to which it is indispensably incumbent on me immediately to reply, lest an Accusation it implies, though not absolutely applied, nor, I am persuaded, meant to be imputed to me, should, by any Misrepresentation or Misconstruction, be attempted to be forced upon you against me.

" I do not know that any other Gentlemen than Mr. Johnson and myself were employed between you and the Nabob, in the Agreement you concluded with his Excellency at Chunar; we therefore jointly subscribe to the following Attestation, which we shall be ready at any Time to confirm by a more formal Oath, if desired:

" We do most solemnly declare before God, and upon our Honours, That we never have either of us, in Fact or Idea, received, or been tendered or promised, directly or indirectly, any Benefit whatsoever, by any Person living, in Consideration of any one or the Whole of the Articles specified or contained in the Agreement concluded between you and the Nabob Vizier, of the 19th September last.

" Nath. Middleton,
" R. Johnson."

" If the above solemn Affelevation can have Effect in counteracting any Misrepresentations which it is possible may have been made or suggested to you on this Subject, we cheerfully and voluntarily offer it.

" I have the Honour, &c. &c.

" Fayzabad,
the 10th January 1782.

Nath. Middleton,
Res^t at the Court of the Vizier.

" P. S. Your Letter of the 31st Ultimo, through your Military Secretary, I can return no Answer to, as I am utterly unable to express what I feel and have felt upon it. I enclose a Copy of it, still willing to indulge a flattering Hope, that upon Re-perusal it may appear to you more severe than my Conscience tells me my Conduct, in the Instance alluded to, has merited.

" I have the Honour to be, &c. &c.

" Nath. Middleton." (a)

Then the Witness produced a Book, intituled, " Miscellaneous Letters, sent 1776 to 1781;" marked with the Letter E.

(a) Vide Appendix, N^o XLVII.

Read, the following Letter from the same :

" To Mr. William Larkins, Accountant General, Fort William.

" Sir,

" In the Absence of Mr. Middleton, I have the Honour to transmit you a Receipt of the Paymaster of the Second Brigade, dated the 19th instant, for Fyzabad 16 Sun Sicca Rupees One Lack eighty-eight thousand three hundred and eighty-seven, Six Annas and Three Pice.

" Fyz¹ 16 S¹ S¹ Rupees 1,88,387 . 6 . 3.

" I have the Honour to be,

Sir,

Yours, &c.

" Lucknow,
the 22d August 1781.

(Signed) " J. C. Middleton,

" As^t Col^r Viz^r Assignm^t to the Hon^{ble} Comp^y."

Read, also, the following Letter from the same Book.

" From Mr. Middleton to M^r. Roberts.

" To Major William Roberts, commanding the 30th Regiment of Sepoys,

" Lucknow.

" Sir,

" Having received an Order, from the Collector of his Excellency the Vizier's Assignments to the Honourable Company, to deliver into your Charge One Lack of Rupees; I herewith do myself the Pleasure to forward you that Sum, in a Tumbril, agreeably to the inclosed Invoice. This Treasure you will be pleased to deliver to the Honourable the Governor General on your Arrival at Chunar.

" I have the Honour to be,

Sir,

your most obedient, humble Servant.

" Lucknow,
the 30th August, 1781.

(Signed) " J. C. Middleton,

" As^t to the Col^r Vizier's Assignm^t, &c."

Read, the following Extract from the Governor General's Narrative, before delivered in, beginning at the Appendix, Part II. Page 145, of the Calcutta Edition.

" NUM. 127.

" To Edward Wheler, Esquire.

" Sir,

" I beg Leave to introduce, through you, to the Notice of the Board, an Instance of Zeal and Attachment to our Government, which, from the peculiar Circumstances under which it was exhibited, merits both a Place in our Records, and a publick and warm Acknowledgement.

" It will be remembered, that a principal Object of my Journey to these Provinces was to obtain and facilitate an Interview at Banaris with Dewaugur Pundit, the Minister of Rajah Moodajee Booslah, for the Purpose of effecting a final Adjustment of the political Concerns of our Government, and that of Berar. The Death of Dewaugur Pundit, the News of which reached me Two Days before my Arrival at Banaris, and which I regret with the most sensible Concern, disappointed all the Hopes which I had conceived of forming by his Means a solid and lasting Alliance with the Court of Berar.

" I was attended in my Journey from Calcutta by Beneram Pundit, the Vakeel of Moodajee Boosla, with his Brother Bissumber Pundit. The Vakeel, during his long Residence with me in that Capacity, had given me constant Proofs of a sincere Disposition to promote the Interests of our Government, whilst he exerted himself to advance those of his Master.

" When I retreated from Banaris, Beneram Pundit and his Brother, on the first Intelligence of my Departure, followed, and, unattended by a single Servant, joined me in the March, resisting all my Intreaties, and even Injunctions, to return to Banaris, where their whole Family resided, and where they might have remained in perfect Ease and Security.

" On my Arrival at Chunar I found myself in great and irremediable Distress for Want of Money. The Troops were some Four, and others Five Months in Arrears, and as Cheit Sing had the Country on all Sides at his Devotion, I had not the smallest Prospect of obtaining Supplies, until the Motion of our Troops from different Quarters should open a Communication. It was with Difficulty that I found Means to raise so small a Sum as 2,500 Rupees, to distribute among the Sepoys for their pressing Necessities. I must add, though foreign from my immediate Subject, that the Sepoys bore their Distresses without expressing the least Impatience under them.

" Being accustomed, from my Experience of the Interest which Beneram Pundit had always taken in the Success of our Affairs, and as a Kind of Acknowledgment of it, to treat him with a greater Freedom of Communication than other Persons in his Situation, I occasionally mentioned to him, without any Expectation or Thought of obtaining any Relief from him, the Difficulties under which I laboured for the Want of present Subsistence. He instantly, and with some Eager-

ness,

nels, replied, That his Family at Banaris were in Possession of a Lack of Rupees, collected in Specie, of which he made me the instant Offer, proposing that a Battalion of Sepoys should be sent to bring it away; his Brother at the same Time offering to accompany the Elcort, and to deliver the Money. I thankfully accepted the Offer, and should have adopted the Mode they recommended for bringing away the Money, had I not been fearful of exposing their Family to the Vengeance of Cheit Sing; and as my Dewan had been left at Banaris, I hoped by his Means to procure the Treasure to be transported to Chunar, and I received their Orders for the Delivery of it to him. But in this Expedient I was disappointed, for the Dewan was so concealed, that my Letter could not reach him, and Gopaul Doss, the Banker, through whose Agency the intended Plan was to be effected, was about the same Time apprehended and carried a Prisoner to Lutteefpoor, where the Rajah resided; neither could I at that Time devise any other Contivance to avail myself of the Assistance which had been thus generously pressed upon me. When I returned to Banaris, Beneram Pundit renewed the same Tender; and although my Distress for Money was not then equal in any Degree to that which had before prompted him to make it, I agreed to accept it, willing to furnish an incontrovertible Proof of his Sincerity in the First Offer, and strengthen the Testimony which I have herein given of his steady Attachment to our Government. The whole Sum, amounting to One Lack of Banaris Sicca Rupees, was received between the 30th of September and 1st of October: I have granted to Beneram Pundit a Bond for the same, at the usual Rate of Interest, and in the usual Form, except that it has only my Signature to it. I hope and request that the Board will be pleased to confirm it.

" Banaris,
" 13th October 1781.

" I have the Honour to be, &c.
Warren Hastings." (a)

Then the Witnesses produced Book 20, intituled, " Bengal Letters, received 10th April 1782 to 13th April 1783."

Read, a Letter to the Honourable the Secret Committee of the Honourable Court of Directors, signed Warren Hastings, and dated Fort William, 22d May 1782.

" To the Honourable the Secret Committee of the Honourable Court of Directors.

" Honourable Sirs,

Fort William, 22d May 1782.

" In a Letter which I have had the Honour to address you in Duplicate, and of which a Triplicate accompanies this, dated 20 January 1782, I informed you that I had received the Offer of a Sum of Money from the Nabob Vizier and his Ministers, to the nominal Amount of 10 Lacks of Lucknow Siccas, and that Bills on the House of Gopaul Doss had been actually given me for the Amount, which I had accepted for the Use of the Honourable Company, and I promised to account with you for the same, as soon as it should be in my Power after the whole Sum had come into my Possession. This Promise I now perform, and deeming it consistent with the Spirit of it, I have added such other Sums as have been occasionally converted to the Company's Property through my Means, and in consequence of the like original Destination. Of the Second of these you have been already advised in a Letter, which I had the Honour to address the Honourable Court of Directors, dated 29th November 1780. Both this and the Third Article were paid immediately to the Treasury, by my Order to the Sub-Treasurer to receive them on the Company's Account, but never passed through my Hands. The Three Sums for which Bonds were granted were in like manner paid to the Company's Treasury without passing through my Hands, but their Appropriation was not specified.

" The Sum of 50,000 Current Rupees was received while I was on my Journey to Benaris, and applied as expressed in the Account.

" As to the Manner in which these Sums have been expended, the Reference which I have made of it in the accompanying Account to the several Accounts in which they are credited renders any other Specification of it unnecessary; besides that those Accounts either have or will have received a much stronger Authentication than any that I could give to mine.

" Why these Sums were taken by me; why they were, except the Second, quietly transferred to the Company's Use; why Bonds were taken for the First, and not for the Rest, might, were this Matter to be exposed to the View of the Publick, furnish a Variety of Conjectures to which it would be of little Use to Reply. Were your Honourable Court to question me upon these Points, I would answer, that the Sums were taken for the Company's Benefit, at Times in which the Company very much needed them; that I either chose to conceal the First Receipts from publick Curiosity, by receiving Bonds for the Amount, or possibly acted without any studied Design which my Memory could at this Distance of Time verify; and that I did not think it worth my Care to observe the same Means with the Rest. I trust, Honourable Sirs, to your Breasts for a candid Interpretation of my Actions, and assume the Freedom to add, that I think myself on such a Subject, on such an Occasion, entitled to it.

" I have the Honour to be,
Honourable Sirs,
Your most faithful, most obedient,
and most humble Servant,
Warren Hastings."

Read also, from the same Book, a Paper, indorsed, "Fort William, 16th December 1782. Letter from Warren Hastings Esquire, to the Secret Committee. Received per Lively, 24th May 1783," as follows :

" To the Honourable the Secret Committee, of the Honourable Court of Directors.

" Honourable Sirs,

Fort William, 16th December 1782.

" The Dispatch of the Lively having been protracted, by various Causes, from Time to Time, the accompanying Address, which was originally designed and prepared for that Dispatch (no other Conveyance since occurring), has of Course been thus long detained. The Delay is of no publick Consequence ; but it has produced a Situation which, with Respect to myself, I regard as unfortunate ; because it exposes me to the meanest Imputation, from the Occasion which the late Parliamentary Inquiries have since furnished, but which were unknown when my Letter was written, and written in the necessary Consequence of a Promise, made to that Effect in a former Letter to your Honourable Committee, dated 20th January last. However, to preclude the Possibility of such Reflections from affecting me, I have desired Mr. Larkins, who was privy to the whole Transactions, to affix to the Letter his Affidavit, of the Date in which it was written. I own I feel most sensibly the Mortification of being reduced to the Necessity of using such Precautions to guard my Reputation from Dishonour. If I had, at any Time, possessed that Degree of Confidence from my immediate Employers, which they never withheld from the meanest of my Predecessors, I should have disdained to use these Attentions. How I have drawn on me a different Treatment, I know not ; it is sufficient that I have not merited it. And in the Course of a Service of Thirty-two Years, and Ten of these employed in maintaining the Powers, and discharging the Duties of the First Office of the British Government in India, that Honourable Court ought to know whether I possess the Integrity and Honour which are the first Requisites of such a Station. If I wanted these, they have afforded me but too powerful Incentives to suppress the Information which I now convey to them through you ; and to appropriate to my own Use the Sums which I have already passed to their Credit, by the unworthy, and, pardon me if I add, dangerous Reflections, which they have passed upon me, for the first Communication of this Kind ; and your own Experience will suggest to you, that there are Persons who would profit by such a Warning.

" Upon the Whole of these Transactions, which to you, who are accustomed to view Business in an official and regular Light, may appear unprecedented, if not improper, I have but a few short Remarks to suggest to your Consideration.

" If I appear in any unfavourable Light by these Transactions, I resign the common and legal Security of those who commit Crimes or Errors. I am ready to answer every particular Question that may be put against myself, upon Honour, or upon Oath.

" The Sources from which these Reliefs to the publick Service have come, would never have yielded them to the Company publicly ; and the Exigencies of your Service (Exigencies created by the Exposition of your Affairs, and Faction in your Councils) required those Supplies.

" I could have concealed them, had I had a wrong Motive, from your's and the publick Eye for ever ; and I know that the Difficulties to which a Spirit of Injustice may subject me for my Candour and Avowal, are greater than any possible Inconvenience that could have attended the Concealment, except the Dissatisfaction of my own Mind. These Difficulties are but a few of those which I have suffered in your Service. The Applause of my own Breast is my surest Reward, and was the Support of my Mind in meeting them. Your Applause, and that of my Country, are my next Wish in Life.

" I have the Honour to be,

Honourable Sirs,

Your most faithful, most obedient,

And most humble Servant,

Warren Hastings."

The Managers for the Commons stated, That the Paper next about to be read contained an Account of the Produce of this Sum given to Mr. Hastings by the Nabob.

Read, Extract of an Account, dated Fort William, 22d May 1782, and signed Warren Hastings, from the same Book, as follows :

" An Account of Sums received, on the Account of the Honourable Company, by the Governor General, or paid to their Treasury by his Order, and applied to their Service.

" Produce of the Sum mentioned in the Governor General's Letter to the Honourable Secret Committee, dated 20th January 1782, and credited in the Governor General's Account of Durbar Charges for April 1782, } 10,30,275 : 1 : 3

" I William Larkins do make Oath and say, That the Letter and Account to which this Affidavit is affixed, were written by me at the Request of the Honourable Warren Hastings Esquire, on the 22d May 1782, from rough Draughts, written by himself in my Presence: That the Cover of the Letter was sealed up by him in my Presence, and was then intended to have been transmitted to England by the Lively, when that Vessel was first ordered for Dispatch, and that it has remained closed until this Day, when it was opened for the express Purpose of being accompanied by this Affidavit.

" So help me God.

" Calcutta, 16th December 1782.

Wm. Larkins." (a)

" Sworn this 16th Day of December 1782,
before me, J. Hyde."

Then the Witnesses produced Book 42, intituled, " Bengal Dispatches, 1st January 1782, to 11th April 1783."

Read, Extract of a General Letter, from the Court of Directors, to the Governor General and Council at Fort William, dated 15th January 1783.

Par. 54. " We have received a Letter from our Governor General, dated, Patna, 20th January 1782; representing, that, while the Nabob Vizier was at Chunar, an Offer of a very considerable Sum of Money was made to him, both on the Part of the Nabob and on that of his Ministers, as a Present; which he accepted without Hesitation, being entirely destitute both of Means and Credit, whether for our Service, or the Relief of his own Necessities. The nominal Sum said to be received, and in Course of Payment, amounts, as the Governor General has informed us, to 10 Lacks of Rupees of the Currency of Oude. It is further stated, that what has been already received, has been laid out on the publick Service, and that the rest is to be applied to the same Account; and that as soon as the Whole is completed, he will transmit to us a faithful Account thereof.

Par. 55. " The Governor General has submitted to our Consideration, whether we will adjudge this Deposit to him; but as the Act of Parliament, by which the Governor General and Council were appointed, directs, ' That the Salaries to be allowed to the said Governor General and Council,' as therein mentioned, ' shall be in Lieu of all Fees of Office, Perquisites, Emoluments, and Advantages whatsoever; and that no Fees of Office, Perquisites, Emoluments, or Advantages whatsoever, shall be accepted, received, or taken, by such Governor General and Council, or any of them, in any Manner, or on any Account or Pretence whatsoever: ' And as the same Act further directs, ' That no Governor General, or any of the Council, shall, directly or indirectly, accept, receive, or take, of or from any Person or Persons, in any Manner, or on any Account whatsoever, any Present, Gift, Donation, Gratuity, or Reward, pecuniary or otherwise, or any Promise or Engagement for any Present, Gift, Donation, Gratuity, or Reward; ' we cannot, were we so inclined, decree the Amount of this Present to the Governor General. And as it is further enacted, ' That any such Present, Gift, Gratuity, Donation, or Reward, accepted, taken, or received, shall be deemed and construed to have been received to and for the sole Use of the Company; ' we approve of the Intentions of the Governor General, to appropriate the Whole of the Sum to the Publick Service; and direct, that he do strictly abide by the Act of Parliament in this Case made and provided."

(Dated, and signed at the End)

" London,
" the 15th January 1783.

" Henry Fletcher.
Nathaniel Smith.
John Harrison.
Henry Savage.
John Smith.
George Tatem.
Thomas Cheap.
John Roberts.
Joseph Sparkes.
Jacob Wilkinfon.
Stephen Lushington.
R. Hall.
George Cuming.
L. Darell.
Jas. Moffatt."

Then the Witnesses produced a Paper indorsed, " Duplicate, Calcutta, 5th August 1786. Letter from Wm. Larkins Esquire, Accountant General at Bengal, to the Chairman of the East India Company. Read in Court 9th March 1787."

(a) Vide Appendix, N° XLVIII.

Read, the following Extract from the same.

" To William Devaynes Esquire Chairman, or to the Chairman for the Time being, of the Honourable the Court of Directors of the United Company of Merchants of England trading to the East Indies.

Par. 17. " The Dates in which this Payment was made to Mr. Hastings, as well as those made in Part of the Produce of the Presents enumerated in the Paper No. 2, are stated the same in the 280th and 281st Pages of the Honourable Company's General Journal of 1781-2, as they are brought to account in Mr. Hastings's private Books; but as neither of the other Sums passed through his Hands, these contained no such Specification, and consequently could not enable him to afford the Information with which he has requested me to furnish you; and it is more than probable, that if the Affidavit which I took on 16th December 1782, had not exposed my Character to the Suspicion of my being capable of committing one of the basest Trespasses upon the Confidence of Mankind, I should at this Distance of Time have been equally unable to have complied with this Request; but after I became acquainted with the Insinuation suggested in the Eleventh Report of the Select Committee of the House of Commons, I thought it but too probable, that unless I were possessed of the original Memorandums which I had made of these Transactions, at the Time when I became acquainted with them, I might, at some distant Period, be unable to prove that I had not descended to commit so base an Action; I have therefore always most carefully preserved every Paper which I possessed regarding these Transactions.

" Calcutta,
5th August 1786.

(Signed at the End)

Wm. Larkins."

Read, Inclosure in the foregoing.

" N^o 2. Duplicate.

" Copy of the Particulars of the Presents taken from the Nabob Vizier and his Ministers, and from Nundoodelol; carried to the Honourable Company's Credit, in the Account of the Receipts and Disbursements of the Governor General, during his Absence from the Presidency, on a Visit to the Northern Provinces, and included in Mr. Hastings's Account of 22d May 1782.

" From the Nabob to the Governor

* Sic in Orig. General — — 6,00,000 : — : —
Huffein * Zeza Cawn, and Hyder
Beg Cawn, to ditto — — 3,50,000 : — : —
Ditto and ditto, to Mr. Hastings — — 1,00,000 : — : —

Lucknow Siccas 10,50,000 : — : —
Hoon deawun deducted 1,25,205 : 13 : 6

Lucknow Siccas 9,24,794 : 2 : 6

" Received in the following Species :

Calcutta Siccas — — 2,76,573 : 12 : —
Patna Sumvant — — 4,12,528 : 11 : —
Murshedabad Bazar Chellawn 43,383 : 15 : 6
Lucknow Siccas — — 1,92,307 : 12 : —

9,24,794 : 2 : 6

Converted into Benaris Siccas, valued at
12 per Cent. + C^s

2,76,573 : 12 : —

32,975 : — : — taken for Expences valued as usual

38,251 : — : —

2,43,598 : 12 + 3 9 3 1 p^r C^t 8,702 : 15 : 3 2,52,301 : 11 : 3
4,12,528 : 11 + — 8 — — 2,062 : 10 : 3 4,14,591 : 5 : 3
43,383 : 15 6 + 1 12 — — 759 : 3 : 6 44,143 : 3 : —
1,92,307 : 12 — 9 2 6 — — 17,608 : 3 : — 1,74,699 : 9 : —

Benaris Siccas 8,85,735 : 12 : 6
Batta 12 p^r C^t 1,06,288 : 4 : 9

9,92,024 : 1 : 3

From Nundoodelol Current Rupees 10,30,275 : 1 : 3
58,000 : — : —

Current Rupees 10,88,275 : 1 : 3 (a)

" A true Copy. Wm. Larkins, 5th August 1786."

(a) Vide Appendix, N^o XLIX.

Then the Managers for the Commons desired Major Scott might be called in.

MAJOR SCOTT was accordingly called in, and examined as follows :

Q. Whether you did not receive a Letter from Mr. Hastings, mentioning his, Mr. Hastings's, having received a Present of Ten Lacks of Rupees from the Nabob, whilst he was at Chunar?

A. I remember it perfectly well.—I think it was in the Month of July 1782, that I received the Letter by the Nancy Packet.

Q. Where was you at that Time?

A. I was in England.

Q. To whom did you deliver that Letter?

A. I thought I was asked, whether I myself received that Letter.

Q. Yes: And you were understood to answer, that you received it in July 1782. The Question upon that is, Whether you delivered it to any Person, and to whom?

A. Not that Letter; but with it I received another Letter, sealed, and directed to the Secret Committee of the Court of Directors. That Letter I delivered immediately after I had received it, and after I had read Mr. Hastings' Letter, to Sir Henry Fletcher, who was at that Time Chairman of the Court of Directors, and I delivered it to him at the India House.

Q. Did any Duplicate of that Letter, for your Inspection, accompany the Original?

A. I am not quite certain, whether a Copy, for my Inspection, came by that Ship, or whether it came by the next; but of this I am very clear, that I had delivered the original Letter to Sir Henry Fletcher before I had read the Duplicate, not conceiving there was any discretionary Power lodged in me to withhold it, upon any Pretence whatever.

Q. Recollect, if you can, whether or not the Duplicate accompanied the Letter from Mr. Hastings, or followed in another Ship?

A. I really cannot—but I can recollect what will go immediately to the Point. I am sure Mr. Hastings, in his Letter to me, mentioned, that he had received a Present from the Nabob, or his Minister, and that he had sent to the Secret Committee of Directors an Account of the Receipt of that Present.—Of that I am clear; and that he had appropriated, or meant to appropriate, that Present to the Service of the Company. I think it is more than probable I received an exact Copy of the Letter to the Secret Committee.—I went through a very long Examination upon this Subject before a Committee of the House of Commons; and, though I have not looked at my Evidence, yet I think I stated, at that Time, that I had delivered the Letter almost immediately after receiving it, and certainly before I had read the Duplicate of it, if a Duplicate was inclosed to me, which I think there was.

Q. You now think the Duplicate was inclosed to you with the original Letter?

A. I rather think it was.

Q. But you can't say positively whether it came with it, or in a subsequent Parcel?

A. I cannot. If your Lordships will give me Leave to mention—I did understand the Tenor of my Examination in another Place to be intended to prove, if it could have been proved from my Evidence, that there was a discretionary Power lodged in me to withhold the Letter or to deliver it, as the State of Parties might be at that Time in this Country: And I can speak positively, I had no Instruction from Mr. Hastings, directly or indirectly, to withhold, under any Circumstances, that Letter from the Gentleman to whom it was directed.

Q. Have you that Letter from Mr. Hastings about you?

A. No, I have not. I did not know to what Point I should be examined.

Q. Have you it in your Possession?

A. I think it very probable I have. If your Lordships think it right I should produce a private Letter from Mr. Hastings, in which that Passage is inserted, I am in Submission to your Lordships Judgment, whether I should produce it or not: I speak positively to the Fact.

The Managers for the Commons stated, That if it had not appeared, from the Testimony of the Witness himself, that the Letter was upon a Publick Transaction, they should not have entered upon the Subject.

The House observed, That till the Witness had seen the Letter, the Enquiry did not appear quite right.

The Witness proceeded as follows :

I can so far state positively, that, as far as pecuniary Transactions are concerned, I can have not the smallest Objection to produce that, or any other Letter I ever received from Mr. Hastings in my Life.

Q. Did

Q. Did that private Letter to you carry the Explanation further than his Letter to the Court of Directors did, with Respect to his Transaction either with the Nabob or with his Minister?

A. It certainly did not: Speaking from Memory, I think Mr. Hastings, in his Letter to me, said something about the State of his own Fortune, and that he would not increase it by any Means which he could not approve; but left it to the Court of Directors, to determine whether they would adjudge that Present so received to him, or not.

Q. Do you recollect the Date of that Letter?

A. I think it was dated about the 18th, 20th, or 22d of January 1782, from Patna; and, accompanying it, Mr. Hastings sent to the Court of Directors a Narrative of the Insurrections at Benares, and relative to the Proceedings in Oude. It was the first Dispatch of the Year, except One. A Ship was sent by Mr. Wheler and Mr. Macpherson to England—it was the Swallow. I think she sailed in the Month of January 1782. Mr. Hastings had desired that Vessel to be detained, till his Narrative, and those Letters of which I am speaking, should arrive in Calcutta. But the Council, being anxious to send from Bengal the earliest Accounts of the Transactions in India, and particularly from Madras, where the Ship was to stop, the Swallow sailed before the Narrative and those Letters arrived in Calcutta—and the Nancy Packet, a Snow, was taken up expressly for the Purpose of bringing them to England; and I think the Nancy Packet arrived in less than a Month after the Swallow.—I think so.

Q. Whether the Account you mention of these Transactions was not addressed directly to the Board of Directors at Home from Mr. Hastings?

A. I really do not recollect, but the Record will shew it: The Head of the Narrative will shew it of course.

Q. Did these Accounts pass through you as a Channel of Communication between Mr. Hastings and the Court of Directors, or did they come to them in the ordinary Mode of Communication?

A. They were brought home under the Charge of Major Fairfax, I think.

Q. You have given an Account of Mr. Hastings being at the Time at Patna, and giving special Directions for the Transmission of certain Articles of Intelligence, which he meant to communicate to the Court of Directors at Home; and the Question put to you is, Whether that Communication to the Court of Directors was made through you, or in any other Manner?

A. Not through me—but I am not clear whether Major Fairfax was entrusted personally to deliver them, or whether they were sent up by the Ship in the ordinary Course.

Q. Was this Part of the Account Mr. Hastings sent to you, either by a Letter addressed to you, or in any other Manner communicated?

A. If your Lordships will give me leave, I will state how I received it. The Benares Narrative, and the other Packets, were sent to the Court of Directors, I suppose—I believe so. Major Fairfax brought me a Box, containing a Duplicate Copy of the Benares Narrative; and, upon my opening that Box, I found a sealed Letter, directed to the Secret Committee of the Court of Directors. That Letter, as soon as I received it, and saw it, I immediately delivered to Sir Henry Fletcher. Why Mr. Hastings chose to inclose that Letter to me, instead of sending it to the Court of Directors, I really am not competent to give any Information upon.

Q. The Question that was asked you was, Whether you, in fact, made a Communication of all these Circumstances to the Court of Directors, or to any of the Directors?

A. I cannot directly recollect what passed between Sir Henry Fletcher and me. Sir Henry Fletcher is in England, and may answer that Question. Perhaps his Memory may be readier upon the Subject than mine; but I think I told him that Letter came inclosed to me from Mr. Hastings, and that, immediately upon my seeing it, I delivered it to him: It was at the India House.

Q. Has Mr. Hastings ever given you any Reason why he chose to communicate this Transaction through you, rather than in any other Manner?

A. He certainly has not; but I beg to observe, that Mr. Hastings publicly notified to the Court of Directors when I arrived in England, that he had appointed me his Agent.

Q. Whether, as his Agent, you were not equally competent to have delivered an Account of the other Transactions, as the Account of this Transaction?

A. I think I understand the Question; but I can perceive some Distinction. The Benares Narrative, and the Account of the other Transactions, came home through the Channel of the Board; and I think that may be a Reason why they were sent in another Manner: But this was from Mr. Hastings himself.

Q. Do you know any Reason why Mr. Hastings diverted the Communication respecting this Transaction to you from the Channel of the Board, to whom he was bound to communicate all Transactions?

A. I

A. I really do not know; and my Ideas of a Governor General differ so much from those of the Honourable Manager upon this Subject, that I do not conceive he was bound to communicate all Transactions to the Board.—I may be in an Error, but that is my Idea.

Q. The Question is, Did Mr. Hastings ever give you any Reason for making this Difference?
A. Not in the least; I believe I said so before.

Q. Did you ever read the general Orders of the Company to the Governor General and their Servants?
A. I believe I have read all of them.

Q. Is it upon those Orders you have formed your Idea of the Duty of a Governor General?

The House observed, that the Orders themselves would prove whether the Opinion already given upon this Subject by the Witness was right or wrong.

The Witness said,

A. I have not the least Objection to answering any Questions.

Q. Whether you conceive it to be a Part of the Duty of a Governor General to obey the Orders of the Court of Directors?

The Witness was asked, whether he had any Objection to answering this Question?

A. I have no Objection to answer it.—I conceive it to be the Duty of a Governor General to preserve, to the East India Company and to Great Britain, the Empire that is committed to his Charge: And I do conceive it to be the bounden Duty of the Governor General to disobey such Orders of the Court of Directors, as he shall think tend to endanger the Safety of that Empire committed to his Charge; but I also conceive that the Governor General, to disobeying the positive Orders of the Court of Directors, makes himself peculiarly responsible to them, and to his Country, for all his Acts.

Q. With respect to your own Duty, Whether you conceive it to be the Duty of an Agent to obey all Orders which he receives from the Person who appoints him?

A. Whether Mr. Hastings was mistaken or not, I will not presume to say; but he certainly did never give me any Thing that could bear the Construction of an Order, as the Honourable Manager puts it.

Q. The Question is, if you have no Objection to answer it, as to your general Opinion?

A. Most undoubtedly, as applied to any sealed Letter that should be sent to me to deliver to any Person whatever.

Q. Whether you ever did receive Communications from Mr. Hastings, respecting Money taken in India privately by Mr. Hastings, which you did not immediately make publick to the Court of Directors?

A. I think I can understand the Point to which the Question is intended to go, and will explain it, if your Lordships will give me Leave, in a few Words. Mr. Hastings, in the Month of November 1780, wrote a Letter to the Secret Committee of the Court of Directors, I think, in which he told them, he had offered, in the preceding Month of June, the Sum of Two Lacks of Rupees, to defray the Expences of Major Camac's Detachment; he told them that the Money, by whatever Means it came into his Possession, was not his own; that he neither could, nor would, have received it, but for their Use. In answer to this Letter, the Court of Directors wrote to Mr. Hastings, expressing some Surprise at the Communication, and withholding their Approbation of the Transaction, till they had further Information from him. In a private Letter, which Mr. Hastings wrote to me very soon after the Receipt of that from the Court of Directors, there was a Passage, which I read before the Committee of the House of Commons: the Honourable Manager I see has the Book before him, and if he will have the Goodness to read it, it will be more correct than my Memory.

Q. Give, as near as your present Memory will go, an Account of that Transaction?

A. As near as my Memory goes, the Words of Mr. Hastings, writing to me, were, "You may recollect the Two Lacks of Rupees which I received from Cheit Sing:—The Court of Directors were angry," (or something to that Purpose, for really I am at a Loss for the Remainder of the Words) "that I did not inform them of more Particulars."—I am not certain whether these are the Expressions:—But it is here, and I may give it in a more correct Way from the Paper.

Q. Did you then give the very Words of the Letter, from the Letter, or from your own Memory?

A. I believe the Clerk took it down from the Words of the Letter.

Q. You state Mr. Hastings to have said, "You may recollect."—When was the first Communication made to you, upon the Subject of that Present, by Mr. Hastings?

A. I can speak positively, that Mr. Hastings never did make any Communication to me upon the Subject of that Present; and Mr. Hastings was mistaken, when he said, "You may recollect;" for I could not recollect what I never had heard.—I certainly had never heard it.

The

The Managers for the Commons read the following Passage to the Witnesses, " You may recollect the Two Lacks of Rupees I received from Cheit Sing, to defray the Expences of Major Camac's Detachment."

Then the Witnesses was asked;

Q. Do you mean to say you never had any previous Communication of that Fact from Mr. Hastings?

A. I certainly do mean to say so, fully and completely—and to add this, which Mr. Hastings might not recollect at a succeeding Time, that on the 22d of June 1780, when this happened, I had left Calcutta; I had left Mr. Hastings's Family, and was proceeding to take the Command of a Battalion of Sepoys at Chunargur; to which Command I had been appointed, by Sir Eyre Coote, a few Days before.

Q. Was this Communication made, whenever it was made, to you, in a private Letter?

A. It was; and I shewed General Smith, who was Chairman of the Committee, the greatest Part of the Letter, at the Time when I gave my Evidence.

Q. At the Time you received that private Letter, was it accompanied with any publick Communication of the Transaction which you were to make to the Court of Directors?

A. At the Time I received that private Letter, Mr. Hastings sent to the Company that Account of all the Presents, including 19,50,000 Rupees *. Both came by the same Dispatch.

Q. But did you receive any Account of it, for you to communicate to the Company?

A. None at all; Mr. Hastings, I suppose, conceiving that he had sent a full and sufficient Account.

Q. The Question that was put to you was, Whether you received privately, from Mr. Hastings, any Account of that Transaction, which you ought to have sent to the Court of Directors?

A. None; but I believe my Answer will not be complete, except I refer again to the Report of that Committee. When I gave my Evidence there, I was particularly asked, if Mr. Hastings had told me from whom he received any of the several Sums composing that Nineteen Lacks and a Half? Not recollecting this Passage of my Letter, I think my immediate Answer was—No—But afterwards, recollecting this Passage in the Letter, and I rather think General Smith reminded me of it; upon that I produced the Letter, and the Passage was entered.—General Smith had seen that Part of the Letter before.

Q. What did you do, upon General Smith's reminding you of it, he having seen this Letter?

A. I gave it immediately to the Committee—I had it with me at the Time.

Q. I understood you had corrected some Account you had given to the Committee before?

A. At this Time I was examined by the Committee of the House of Commons, of which Committee General Smith was Chairman. I was examined, Whether I knew from whom such a Sum, such a Sum, or such a Sum, was received, all component Parts of that Account, which Mr. Hastings sent to the Court of Directors? Upon being asked these several Questions, I said, No; not recollecting those particular Passages in the Letter. General Smith, to whom I had shewn it (and that certainly must have been a Proof that I wanted to keep no Secret), reminded me of the Passage, he sitting in the Chair of the Committee at the Time. I took the Letter out of my Pocket, and the Clerk inserted the Passage from it.

Q. By what Means came General Smith first to have a Knowledge of that Letter?

A. I believe, from that Part of my Letter; but General Smith himself will best be able to tell that.

Q. The Question put to you is—How did that Letter first come to the Knowledge of General Smith: Upon what Occasion did you shew it him?

A. It happened at a Time, when the Affairs of the Company in India were in a very critical Situation: A Packet had arrived with a Number of Letters, and, amongst the rest, this from Mr. Hastings. I thought it contained Information tending to inspire us with Hopes, that we should get the better of all our Difficulties; and, I believe, upon that Idea, I shewed the Letter, or the greatest Part of it, to General Smith; and it contained News of the Operations of the War in the Carnatic, and the Measures in Bengal.

Q. Do you recollect, at what Time, before this Examination, you shewed that Letter to General Smith?

A. I believe not above a Day, or Two, before; because the General and I were in the Habit of meeting there almost every Day; he, as Chairman, and I, as a Witness before that Committee.

* See Extract of this Account *supra*, Page 558, at the Bottom; and see the whole Account in Appendix, N^o XLVIII.

Q. Do you mean to say, you shewed the Whole of the Letter to General Smith ?

A. I certainly mean to say no such Thing; for I rather think I did not.

Q. Do you mean to say, that General Smith had no previous Knowledge of this particular Transaction, respecting the Present from Cheit Sing, before you communicated it to him ?

A. I mean to say,—my firm Belief is, he had not; because, in the Eleventh Report, it is stated, that the Committee were perfectly unapprized of that, till I told them of it: I think that a good Reason for supposing they did not know it before.

Q. Do you, or do you not, know, that you were the only Person, to whom Mr. Hastings made this Communication, relative to the Presents from Cheit Sing; and that, in Fact, there was no other Communication.

A. I certainly know that there was another Communication of that Present. Mr. Hastings wrote a Letter to Mr. Sullivan in the Month of August 1780; it was sent by a Danish Ship; and, in that Letter, he states to Mr. Sullivan, that he had received it from Cheit Sing, and authorized him to make any publick Use he pleases of the Communication. Mr. Hastings afterwards communicated to the Court of Directors, by the first English Ship, in November 1780, that he had received Two Lacks of Rupees; that the Money was not his own, and that he only would have received it for their Use; but to them he did not state that it was from Cheit Sing he received it; there was that Difference in the Communication.

Q. You have said, Mr. Hastings communicated to Mr. Sullivan in a private Letter, that this Present came from Cheit Sing, and the Intelligence was to be used, as he, Mr. Sullivan, pleased: Was there any similar Passage in the private Letter of Mr. Hastings to you, that gave you a Liberty to make what Use of it you pleased ?

A. No—It was mentioned collaterally to me: I can speak to that from Memory exactly. Mr. Hastings in his Letter to me, of which that Paragraph is a Part, complained very loudly of the ill Usage he had received from the Committee of the House of Commons, in the Strictures they had passed upon him, and from the Court of Directors: And he states this as amongst the Complaints,—that he thinks he has been very ill treated by them: it is mentioned merely by that Kind of Accident. I do not know whether I make myself understood; but in stating a Variety of Particulars, in which he thought himself ill treated, he mentions as one, that having received Two Lacks for their Benefit, and appropriating it to their Service, such Strictures should be passed upon him.

Q. When he communicated it to you in that Way, did he, or did he not, give you any Directions to make what publick or private Use of it you pleased ?

A. None at all: but I had no Idea of making any Secret of it; I had no Idea that a pecuniary Transaction of Mr. Hastings could or ought to be a Matter of Secrecy.

Q. Have you any Objection to the Production of the Letters ?

A. I have not the smallest Objection to produce them, though they contain Opinions and Observations upon Men and upon Measures, in that Species of free Communication that there was between Mr. Hastings and me, which, I believe, no Gentleman would wish to lay entirely before the Publick.

The Managers for the Commons stated, That as the Witness spoke from imperfect Recollection, and which Recollection seemed not to tally with his former Evidence, where he likewise spoke from Recollection of those Letters in Question, they could not but express a Doubt of the Accuracy of such Recollection, and a Wish therefore to see the Letter.

A. With respect to the Production of the Letters I will state the Fact, and the only Reason why I should have any Doubt upon the Matter.—In the Month of May 1782, a Resolution was moved in the House of Commons for the Recall of Mr. Hastings from the Government of Bengal. This Resolution was resisted in a Court of Proprietors, and that brought on a great Variety of Discussions, in which I certainly spoke my Opinion pretty plainly of several Gentlemen, and Mr. Hastings spoke his as plainly in Return: And I wish to submit, whether that is a Communication proper to be laid before the House, being, as it is, intermixed with the Letter.

The House observed, that such Parts of the Letter were certainly not the Object of the present Enquiry; but at all Events, it would be impossible to pursue the Examination at this Time, as the Witness had not the Letter about him.

Then the Witness requested, that his former Examination, before the Committee of the House of Commons, might be read from the Minutes of the Committee, as far as related to the Subject at present under Consideration, that it might appear whether there was any Difference between his Evidence there and that now given by him at the Bar; and that he might explain the same, if any should be found.

The

The Managers for the Commons being asked, Whether they had any Objection? made answer, That they had none.

Accordingly the Minute Book of the Committee was sent for; and, in the mean Time, the Examination of the Witness was proceeded in as follows, the Managers first asserting their Claim to call for the said Letter in future, if they should think proper.

Q. Whether you did not, after these Two Transactions relative to the Two Presents, receive other Communications from Mr. Hastings in India, relative to other Presents, and other Matters, of Money taken by Mr. Hastings?

A. No; I never received from Mr. Hastings any other Accounts than these relative to the 19,60,000 Rupees, until the Month of September 1784, when Mr. Hastings sent me a Copy of an Account, which he had transmitted to the Court of Directors, stating a Sum of Money received by him, and the Mode of the Expenditure of that Sum of Money.

Q. The Question put to you is, Whether the Communications you did receive from him were relative to any other Sums than those you mentioned before?

A. None, except the one I have mentioned last, which was not included in the Nineteen Lacks: That made me make the Distinction.

Q. Was you not made the Channel of Communication between Mr. Larkins in India and the Court of Directors, respecting Money taken by Mr. Hastings?

A. I was; and I will beg Leave to explain that Circumstance also, by taking it up from the Time it originated. I think in the Month of March 1784, nearly about the Time of the Dissolution of Parliament, a Letter was sent from the Court of Directors to Mr. Hastings, desiring from him an Explanation of the several Sums that he had received: I think he was desired to state the Periods when each Sum was received, and his Reasons for concealing that Receipt from his Council. This Letter arrived in Bengal, as I understood, in the Month of September 1784, when Mr. Hastings was at Lucknow. Mr. Hastings came down to Calcutta in November 1784, and resigned the Government of Bengal the 1st February 1785. It happened, that he had not adverted to that particular Paragraph from the Court of Directors, before he left Bengal; and, upon his Arrival in England, I mentioned this Omission to him: In Consequence of that, he wrote a Letter from Cheltenham, to the Court of Directors, mentioning the Circumstances, answering their Questions, and telling them, that, if they wanted a full and compleat Account of all the Transactions, he referred them to Mr. Larkins, who was acquainted with the Whole of them. I thought that the Court of Directors might be satisfied with the Explanation Mr. Hastings had then given, and that neither they, nor the Board of Commissioners, might think it worth their While to enquire any more about it, as they had received all the Money, and it had been expended upon the Company's Account. The Event has proved, that I thought right: But I took the Liberty to mention to Mr. Hastings, (from believing, in my Conscience, that he never was concerned in any pecuniary Transaction that he would wish to conceal); I took the Liberty to mention to him, that he had better, himself, write to Mr. Larkins, and desire he would send the Account to this Country, to the Chairman of the Court of Directors. In consequence of that Letter, which Mr. Hastings did write, Mr. Larkins sent Mr. Hastings a Letter, directed to the Chairman of the Court of Directors; containing the Account, a Part of which was just now read (a). Mr. Larkins assigned to Mr. Hastings, as a Reason for sending the Account under Cover to him, that, as neither he, nor the Governor General and Council, had received any Orders or Directions, from the Court of Directors, upon this Subject, he thought he could not, with Propriety, address them directly; and therefore had sent the Letter to Mr. Hastings, to deliver himself. Mr. Hastings desired me, as I was going into the City that Day, to give it to Mr. Michie, the Chairman, tho' it was directed to Mr. Devaynes, who had been the Chairman the preceding Year: That is the Reason of my delivering the Letter to Mr. Michie as I did.

Q. The Question is, Whether there was any Communication that passed through you?

A. That was the only Communication.

Q. But there was no Communication through you?

A. None, except that.

Q. That was the last Account of this Present sent over by Mr. Larkins?

A. Yes, dated the 18th August 1786, I think; that is the Account which has just been read.

Q. You have said, that Mr. Hastings had not adverted, in India, to that Paragraph of the Company's Letter which called for this Account: I desire to ask you upon that, whether you do not know, that Mr. Hastings had promised this Account before that Letter written to him by the Court of Directors arrived in India?

A. I certainly recollect, in the Month of December 1782, Mr. Hastings wrote to the Court of Directors, that if they wanted any farther Explanation, respecting the Sums he had received and

(a) Vide supra, Page 560.

expended in their Service, he was ready to answer to any Question that could be put to him, upon Honour, or upon Oath: That Letter arrived in this Country in July 1783; no Notice was taken of it until the Month of March 1784; and then the Court of Directors wrote to Mr. Hastings, telling him, they did not mean to doubt his Integrity, but, as he had voluntarily offered to give them an Explanation, they asked certain Questions. The Questions were, as I stated before; At what Periods he had received the several Sums: What was his Reason for concealing the Receipts from the Council, and taking Bonds for some of those Sums, and entering others as Deposits: I think these were the Questions. Mr. Hastings, as he told me, had not adverted to that Paragraph.

Q. The single Question put to you was, Whether Mr. Hastings had not, anterior to that Letter which he received from the Court of Directors, promised to give them an Account: You said, He did—and stated the Manner in which he did it?

A. Just so.

Q. You have said, in your Answer to a former Question, that you are certain it never was Mr. Hastings's Intention to conceal any of these Transactions, respecting this Money taken: I beg a short Passage may be read to the Witness from Mr. Hastings's Letter from Cheltenham, which has been read To-day.

Read, Extract of a Letter from Mr. Hastings to William Devaynes Esquire, Chairman of the Honourable Court of Directors, dated Cheltenham, 11th July 1785, before delivered in.

“Of this I am certain, that it was my Design originally to have concealed the Receipt of all the Sums, except the Second, even from the Knowledge of the Court of Directors (a).”

Then the following Question was put to the Witness:

Q. Whether you have seen that Letter of Mr. Hastings?

A. I am glad to have an Opportunity of explaining what might otherwise have appeared very extraordinary. When I state “concealing,” I mean that Mr. Hastings never intended to receive the Money for his own Benefit; that he never meant to receive Fifty or an Hundred Thousand Pounds, or even One Rupee, to the Benefit of himself.

Q. In your Declaration that Mr. Hastings never meant to conceal the Presents he had received, did you mean to say, that he never meant to conceal the Fact of receiving them at any Time?

A. It is impossible for me to state what Mr. Hastings intended to do: Mr. Hastings was at Cheltenham, and I at Tunbridge Wells, at the Time the Letter was written; so that I really did not advert to that Passage, and cannot tell what Mr. Hastings's Intentions were at all.

Q. The Question is not about what Mr. Hastings's Intentions were, but the Sense of the Expression you made Use of, that you were confident Mr. Hastings never meant to conceal the Receipt of the Presents: Upon your making Use of that Expression, a Passage of a Letter written by Mr. Hastings from Cheltenham, was read to you; and then the Question put to you was, What you meant by that general Expression, that he never meant to conceal Presents? Do you mean to say, that he never meant to conceal the Receipt of Presents from any Person, or at any Time?

A. I conceive Mr. Hastings to have meant, that the Presents recorded should appear only in so far as they appeared in the General Account, as a Sum of Money carried to the Company's Credit; but he never meant to give any particular Explanation, excepting in so far as they should appear upon the Accounts. When he states, that he meant to conceal the Receipts from the Knowledge of the Court of Directors, I fancy he meant that the Transaction should no farther appear than it would appear by the Court of Directors finding Five, Six, or whatever the Sum of Lacks of Rupees was, carried to their Credit in the several Accounts.

Q. When you said you was very confident Mr. Hastings never meant to conceal the Presents, did you mean Mr. Hastings never meant to conceal them for any Time, or from any Person?

A. What I meant was, that he did not intend ultimately to benefit himself; and every Sum of Money received must appear, somehow or other, on the Company's Books.

Q. Mr. Hastings, in his Letter from Cheltenham, says, “Of this I am certain, that it was my Design originally to have concealed the Receipt of all the Sums, except the Second, even from the Knowledge of the Court of Directors (b).” Now, how were these Sums to appear upon the Company's Accounts (as you have stated they would), if the Knowledge of them was concealed from the Court of Directors?

A. I mean any particular Explanation. I certainly understood it so; but I think there is another Part of that same Letter which I think will explain it.

(a) Vide supra, Page 554, Line 18 from the Bottom.

(b) Vide supra, Page ibid.

Q. The Letter proceeds thus : ' They had answered my Purpose of publick Utility, and I had almost totally dismissed them from my Remembrance ; but when Fortune threw a Sum in my Way, of a Magnitude which could not be concealed, and the peculiar Delicacy of my Situation, at the Time in which I received it, made me more circumspect of Appearances, I chose to apprise my Employers of it (a). ' Whether you do not understand by this Passage, that Mr. Hastings would not have disclosed the Receipt of that Sum, if he could have concealed it : Take the Two Passages together ?

The Letter was shewn to the Witness.

A. Mr. Hastings, in another Part of this Letter, says, ' I have said, that the Three First Sums of the Account were paid into the Company's Treasury, without passing through my Hands ; the Second of these' (that is, the Second of the Three First Sums, Cheit Sing's) ' was forced into Notice by its Destination and Application to the Expence of a Detachment, which was formed and employed against Mahdajee Scindia, under the Command of Lieutenant Colonel Carnac, as I particularly apprized the Court of Directors, in my Letter of the 29th of December 1780. The other Two were certainly not intended, when I received them, to be made publick, though intended for publick Service, and actually applied to it. The Exigencies of the Government were at that Time my own, and every Pressure upon it rested with its full Weight upon my Mind. Wherever I could find allowable Means of relieving those Wants, I eagerly seized them ; but neither could it occur to me as necessary to state, on our Proceedings, every little Aid which I could thus procure ; nor do I know how I could have stated it, without appearing to court favour, by an Ostentation which I disdained, nor without the Chance of exciting the Jealousy of my Colleagues, by the constructive Assertion of a separate and unparticipated Merit, derived from the Influence of my Station, to which they might have laid an equal Claim (b). ' I conceive, that when Mr. Hastings talks of concealing, he does not mean to conceal the Receipt of the Money ; because it must have appeared (except he had appropriated it to his own Use, which I am sure he did not intend to do), either under the Head of Durbar Charges, or as a Deposit, or Bonds : And I think Mr. Hastings intended to have entered into no Sort of Explanation with the Court of Directors upon it, but, when he quitted the Service, merely to have delivered up the Bonds, without any further Explanation. Whether I am correct in what his Intention was, I cannot say ; but that is my Idea.

Q. You have said before, that you did not think he meant to conceal them ; which you have explained by saying, he meant to apply them to the publick Service ; which Application to the publick Service would disclose them : The Question now asked is, Do you believe that he did not mean to conceal the Fact of the Receipt of the Presents at the Time the Receipt was had ?

A. At the Time the Receipt was had, certainly ; but I did not understand the Question so.

Q. My Meaning was, " for ever." I understand you to say, that could not have been his Intention, because, though he might have concealed them at the Time, yet, meaning to apply them to publick Purposes, you think they must have appeared in the Durbar Charges, or under some other Head : do I understand you correctly ?

A. Yes.

Q. Then now explain the following Passage, in the Letter from Mr. Hastings to the Secret Committee of the Court of Directors, dated Fort William, 16th December 1782, where, speaking of those Sums, he says, " I could have concealed them, had I had a wrong Motive, from yours and the publick Eye for ever ; and I know that the Difficulties to which a Spirit of Injustice may subject me for my Candour and Avowal are greater than any possible Inconvenience that could have attended the Concealment, except the Dissatisfaction of my own Mind (c). " —Whether that does or does not avow a Power to have concealed those Sums for ever from the publick Eye, without any Possibility of their being discovered, and only under the Dissatisfaction of his own Mind ?

A. When Mr. Hastings states the Passage, " I could have concealed," &c. he means, if I had intended to appropriate to my own Use this Sum of Money, I might have done it : I understand that to be the Sense of this Passage.

Q. Do you know what Interval there was between Mr. Hastings's receiving the Present of 100,000 l. from the Nabob at Chunar, and his first Confession of it, under the Circumstances stated by Mr. Hastings, that it was of a Magnitude not to be concealed ?

A. According to my Conception, Mr. Hastings disclosed it to the Court of Directors by the first possible Opportunity : No Time was lost.

Q. When was that ?

A. Bills were granted upon the House of Gopaul Doss for the Money, 10,30,000 current Rupees about the Middle of September 1781 ; it must have been about that Time, because the

(a) Vide supra, Page 554, Line 16 from the Bottom.

(b) Vide supra, Page 554, Line 21.

(c) Vide supra, Page 558, last Paragraph of the Letter.

Nabob came the 11th, and quitted Chunar, I believe, the 19th September: these Bills were in part received in the Month of January, and the Whole was received in the Month of March.—Before one Half of the Sum had been received, Mr. Hastings sent to the Court of Directors an Account of all his Transactions at Benares, and respecting the Begums; and with that Account he also sent the Particulars of this Present; that it had been made in Bills; that Part had been received; that the Part received had been appropriated to the publick Service; and that the Remainder should be appropriated in like Manner as fast as he should receive it: And according to my Idea, Mr. Hastings did send home that by the earliest possible Opportunity. I believe I have already mentioned, that Mr. Hastings' Letters were too late for the Swallow; he had conceived that the Swallow would have waited until his Dispatches reached Calcutta, but Mr. Wheeler and Mr. Macpherson thought it right to dispatch that Ship, without waiting till they arrived; and another Vessel, the Nancy, was taken up, and by that Ship they came.

Q. Do you not know that Mr. Hastings wrote a great Number of Letters to Mr. Wheeler and the Council at Calcutta, during the Interval between his receiving the Present, and the Time when he first disclosed it, in the Letter which passed through your Hands?

A. I dare say he did; I have no doubt of it.

Q. Do you not know it?

A. I have no Doubt of it; it certainly must have been so.

Q. Is this Present in any Way mentioned or alluded to in any one of those Letters or Communications to the Council?

A. No; nor do I remember it ever was mentioned to the Council till the Intelligence of it was returned back again from England to Bengal.

Q. Do you know whether, when the Communication of this Present was made to the Court of Directors, Mr. Hastings did not apply for the Whole of the Money to be given to himself?

A. In the Terms of the Question, I do not think he did. I think he submitted to the Court of Directors, Whether, in Consideration of his long Services, and having a small Fortune, they would chuse to adjudge the Deposit to him. The Court of Directors, who were perfectly competent to act as they pleased, chose to adjudge the Deposit to themselves.

Q. Do you or not understand that to have been asking the Court of Directors for the Money?

A. It certainly is to a Degree; it is an Application not exactly as stated in the Question; but, to be sure, it is something very like asking them for the Money.

Q. You call the Present, as Mr. Hastings himself does, a Deposit. From Mr. Hastings's Letter, did you not understand that the Money had not then been expended at the Date of the Letter from Mr. Hastings?

A. Certainly not; I understand the Word Deposit to mean, that it should be a Point undetermined, whether the Property should be Mr. Hastings's, the Court of Directors, or whether, as the Committee were of Opinion, it should be taken in Liquidation of Part of the Nabob's Debt.

The Question is, Whether the Money was not at that Time in Part expended?

A. Certainly, it was received and expended for the Publick Service.

Q. Whether the Present was not in Bills upon Gopaul Dofs?

A. It was in Bills, but they had been in Part realized before the 20th of January 1782.

Q. Whether Mr. Hastings does not state that his Reason for accepting the Present was to answer his then pressing Exigencies, and to pay the Army?

A. The Letter will speak for itself to that Point; I do not think exactly as the Question is put that it does so state. It states he accepted it gladly, having no Fund at that Time, for the Payment of his own and the Companies Exigencies.

The Managers for the Commons desired an Extract from a Letter to the Secret Committee of the Court of Directors, signed Warren Hastings, and dated Patna, 20th January 1782, delivered in Yesterday, might be read (a).

Read, the following Extract from the same.

“ This Donation was not made in Specie, but in Bills, which have been in part only, and tardily realized, being drawn on the House of Gopaul Dofs, who was at the Time a Prisoner in the Hands of Cheit Sing.”

Then the following Question was put to the Witness.

Q. How could Mr. Hastings have employed that Present, so circumstanced, to the Payment of the Troops at the Time he received it?

(a) Vide supra, P. 544.

A. Undoubtedly

A. Undoubtedly I conceive he could: Gopaul Dofs was only the First Partner in the House; the Confusion occasioned by the Insurrection of Cheit Sing, had, in the Middle of September, begun to subside; and though (not speaking to a Day), at the Moment Mr. Hastings got the Bills he could not turn them to Cash undoubtedly, yet with Bills for R¹ 10,00,000 in his Hands, upon such a House as that of Gopaul Dofs, which I suppose, is worth near a Million Sterling, there was no doubt but in the Course of a short Time a Part of these Bills might be received; and as I believe the Troops in the Province of Benares were then Three and Four Months in Arrears, the Produce of these Bills, or of such Parts as could be paid, might be very seasonably employed towards our Preservation in India.

Q. Whether the House of Gopaul Dofs would not as readily have accepted the Security or Drafts of the Company or Governor General, as those of the Nabob?

A. I think it is very likely they would: But I will put it upon what Place Mr. Hastings could have given the Draft. At that Period, the Treasury of Calcutta, as appears from the Minutes of Mr. Macpherson, was empty; and a very considerable Remittance had been made to the Coast of Coromandel, to Madras, where the Army was on the Point of mutinying and disbanding; and, to complete the Remittance, Mr. Wheeler and Mr. Macpherson had been obliged to stretch the Company's Credit as far as it would go; and under those Circumstances, I think, Rs. 10,30,000, procured from any Man or Men, under any Circumstances, was performing a very essential publick Service. I believe the Company owed Gopaul Dofs 25 or 30 Lacks of Rupees at that Time, for Drafts he had given to General Goddard; they were considerably in his Debt at that Time I know.

Q. Whether he would have answered Drafts upon the Treasury of Calcutta, if Mr. Hastings had made them?

A. I believe, in Confidence he would; that when the Company could pay they would.

Q. Whether the Wants of the Troops of the East India Company would not have been equally well supplied, by receiving this Sum of Ten Lacks, in part Payment of the Nabob's Debt to the Company, as by receiving it as a Present to Mr. Hastings?

A. Most undoubtedly and obviously.

The Managers for the Commons desired the Credentials from Mr. Hastings to the Witness, appointing him his Agent, might be read to him.

Read, Extract of a Letter to the Chairman of the Court of Directors, signed, Warren Hastings; and dated, Fort William, January 6, 1781; from Book 29, already delivered in; beginning at Page 272 of the said Book.

“ To the Chairman of the Court of Directors.

“ Sir,

“ Having thought proper to appoint an Agent at home, for the Purpose of attending to my political Interests, and managing all my public Concerns, I take this Opportunity of acquainting you, that I have selected Major Scott for this Service, and have furnished him with suitable Instructions; and as this Gentleman is possessed of every necessary Information relative to the State of this Government, he will be ready to communicate with you on all Matters wherein you may think it proper to ask his Opinion.

“ It is material to me to make one Observation—that, in my Instructions to Major Scott, I have particularly provided, that I will suffer no Person whatever to perform any Act in my Name, that shall be construed to imply a Resignation of my Authority; protesting against the Exercise of so dangerous a Power, from its having been assumed upon a former Occasion, without being warranted by my Consent, or by any previous Instructions that could bear the most distant Tendency to such a Measure.

“ Fort William,
January 6th 1781.

“ I have the Honour to be,
Sir,
Your most obedient, and most humble Servant,
Warren Hastings.”

Then the following Question was put to the Witness:

Q. You say Mr. Hastings had no Means of apprizing the Court of Directors, till January 1782, of the Receipt of the Present from the Nabob:—Did you receive any Dispatch over Land from Mr. Hastings, between the Middle of September 1781, and the Time of the Disclosure of this Present?

A. Not a Line over Land, nor a Line by the Swallow, nor was a Line received from Mr. Hastings, by any Gentleman, by the Swallow, nor by the Vessel which sailed from Madras, the Nymph.

Q. I understand you to say, neither over Land, nor by the Swallow?

A. Yes.

The Managers for the Commons stated, they would next prove that Two Ships did fail, by which Mr. Hastings might have sent this Intelligence; the Nymph Sloop in October 1781, and arrived in May 1782; and the Swallow, whose Dispatches are dated the 3d December 1781, and which arrived the 3d June 1782. The Swallow was intended to carry Mr. Hastings's Dispatches, but she failed before Mr. Hastings arrived at Calcutta.

Q. Do you know any Thing about the Nymph failing?

A. Yes, perfectly well.

Q. Did you receive any Letter by the Nymph?

A. I did not receive a Line either from Mr. Hastings or any Body else; I believe there were not less than 50,000 Cavalry in the Carnatic at the Time the Nymph failed; and the Chances were Three, Four, or Five to One against a Letter reaching us by Land.

Then Mr. Robert Hudson was again called in, and, in the Presence of the Witnesses, was asked;

Q. When did the Nymph fail, and when did she arrive?

A. Her Dispatches are dated, Fort William, the 16th October 1781; they were received at the India House the 16th May 1782.

Major Scott. The Nymph, to my certain Knowledge, was dispatched from Madras.

Q. Was the Nymph in Point of Fact originally dispatched from Madras?

Mr. Hudson. The first Paragraph of this Letter, by the Nymph, will, I believe, clear it up.

Read, Extract of a General Letter from the Secret Department to the Court of Directors, signed Edward Wheler and John Macpherson, dated Fort William, 16th October 1781, from Book 29, already delivered in.

Par. 1. "We avail ourselves of the Departure of His Majesty's Sloop the Nymph for the Coast, to address you this Letter; and we have requested Sir Edward Hughes to forward it by the first proper Conveyance."

Q. How does that clear it up? I take it, by that Passage, the Ship was originally dispatched from Bengal to Madras, and that Sir Edward Hughes received Directions to forward it?

A. It went to Madras for the Chance of the First Dispatch Sir Edward Hughes should send to England; and he did in fact send, about taking Trincomale, or some other of his Operations.

The above Passage was again read.

Q. When did the Swallow arrive?

A. Mr. Hudson. Her Dispatches were received at the India House the 3d June 1782; they are dated the 29th December 1781; but when she sailed from Bengal I do not know; I believe in January.

Then the Managers for the Commons acquainted the House, That the Minutes were come, if the Witnesses wished to have them read.

Then a Book, intituled, "Minutes of the East India Judicature Committee 1782-3; N° 3," was delivered in.

Read, the following Extract, beginning at Page 19 of the said Book.

"Martis, 1 Julii 1783.

"At the East India Judicature Committee;

"General Smith in the Chair.

"Present,

Mr. Long,	Lord Maitland,
Mr. Burke,	Mr. Elves.
Mr. Annesley,	

"Major Scott, attending according to Order, was asked:

"Have you received any Elucidation from Mr. Hastings concerning the Sums of Money which he says, in his Letter of 22d May 1782, he has credited the Company?

"I have a Letter from Mr. Hastings, in which he mentions that he has sent a Letter to the Secret Committee of the Court of Directors, mentioning the Sums which he had received and paid into their Treasury, and desiring me, provided it should be misrepresented to the Publick, to publish

publish the Letters. Mr. Hastings did not send me a Copy of the Letters, but he said he supposed I should get them at the India House.

“ Has he told you from whom he received the Three Lacks of Sicca Rupees, for which he applied for the Company's Bonds, in his Letter of the 5th of January 1781 ?

“ No.

“ Whether you, as Agent to Mr. Hastings, have any Explanation to give relative to the Manner of Acquisition of these Three Lacks of Rupees, or any Circumstance concerning that Matter?

“ No ; I have not.

“ Have you any Explanation to give to the Committee relative to the 2,38,715 Rupees, which the Governor General paid in Gold into the Company's Deposit in November 1780, and which was carried to his Credit ?

“ No ; I have not.

“ Do you know any Thing of the Receipt of this Money, or from whom it was received ?

“ No ; I do not.

“ Do you know from whom Mr. Hastings received Money on Account of Durbar Charges, for which he was credited on the 30th April 1781, for 2,32,000 Rupees ?

“ No.

“ Do you know any Thing of a further Sum of 58,000 Rupees, entered under the Name of Durbar Charges, and carried to the same Credit in April 1782 ?

“ No.

“ Have you ever shewn any Letters since the Receipt of the last Advices explaining the Receipt of those Sums, and from whom received ?

“ No. I had a long Letter from Mr. Hastings, which I have shewn to several Gentlemen ; but there is no Mention of the Receipt of any of those Sums in it. I have shewn the Copies of the Governor General's Letters to the Secret Committee, which I obtained from the India House.

“ Have you received from the Governor General, or any official Person acting under his Orders, any other Elucidation upon this Subject ?

“ No ; I have not.

“ Have you got from Mr. Hastings any Explanation of the Present of 10,30,275 Rupees, which is mentioned in the Governor General's Letters to the Secret Committee, of 20th January 1782 ?

“ Nothing but a Copy of that Letter which I received by the Nancy from the Governor General.

“ Did you not receive an original Letter from the Governor General to the Secret Committee, requesting their Permission to accept these 10 Lacks ?

“ Yes, and delivered it to Sir Henry Fletcher.

“ Whether, when the Governor General sent so important a Letter, and which was not entered upon the Minutes of the Council in India, he sent you any Explanation concerning it, or any Instructions relative to it ?

“ I had no Instructions but only to deliver it, which I did immediately.

“ Whether, after the Delivery of that Packet, you found any Thing in any Letter from Mr. Hastings, instructing you how to proceed on the Delivery of those Letters, or to act in any Circumstance concerning them ?

“ No discretionary Power of any Kind, but to deliver them immediately.

“ Whether Mr. Hastings assigned any Reason for sending his Letter of the 20th of January 1782, to the Secret Committee, through you, instead of sending it in the Packet, directed in the usual Manner ?

“ No, he did not ; the Letter is dated from Patna.

“ Would the Governor General being at Patna make any Difference as to the Letter, whether it was transmitted through the Court General, or immediately through you ?

“ No ; I do not think it would.

“ Does the Receipt of this Present of Ten Lacks of Rupees appear upon the Consultations in India ?

“ Not that I know of, not having perused the Consultations.

“ Have you received any Letter from the Governor General, in which Mention is made of any Present received by him from Cheyt Sing, late Rajah of Benares ?

“ There is a Paragraph in a Letter from Mr. Hastings to me, dated 7th December 1782, in which he mentions having received Two Lacks of Rupees from Cheyt Sing, which is as follows:

“ You

‘ You may recollect Two Lacks of Rupees that I received from Cheyt Sing, which was applied to defray the Charges of Major Carnac’s Detachment. The Court of Directors expressed Disapprobation of this, and charged me with a Neglect for not telling them from whom I obtained the Money ’

“ Does Mr. Hastings assign his Reasons for not mentioning to the Court of Directors, or the Secret Committee, his having received that Sum of Money from the Rajah of Benares ?

“ No.

“ At what Time did the Governor General receive these Two Lacks of Rupees from Cheyt Sing, Rajah of Benares ?

“ I really do not know, but I should suppose it to be previous to the 26th of June 1780, because the Court of Directors appear to have censured Mr. Hastings for not having told them from whom he received the Two Lacks of Rupees, which he had offered to pay for the extra Expenses of Colonel Carnac’s Detachment.

“ As Mr. Hastings was sensible that he laid * under the Displeasure of the Court of Directors, for not telling them for † whom he received that Money, what Reason did he give for communicating to you that which he had perlevered in ‡, in not communicating it to the Court of Directors, although § called upon by them for that Information ?

“ He has not given any Reason to me ; but I think he tells the Court of Directors, that he is ready to answer any Question that can be put to him, either upon Honour or upon Oath.

“ Did not the Court of Directors ask of the Governor General this very Question ?

“ I do not know ; I never saw the Paragraph that they sent out.

“ Did Mr. Hastings pay the 2 Lacks of Rupees which he received from the Rajah of Benares into the Company’s Treasury ?

“ I do not know.

“ Does it appear any where on the Company’s Records, that he had received this Present from the Rajah of Benares ?

“ Not that I know of ; I believe not.

“ Has he told you that this was the only Sum of Money that he had received from the Rajah of Benares as a Present at that or any other Time ?

“ No.

“ Whether Mr. Hastings has informed you what his Reasons were, at the Time of his offering to defray the Expenses of Lieutenant Colonel Carnac’s Detachment from the Present which he had received from the Rajah of Benares, to state in his Minute that he would take that Expence upon himself.

“ No.

“ Do you conceive that the Rajah of Benares would have refused Aid to the Company, and yet give it as a Present to the Governor General ?

“ Yes, I think he would : he might be induced perhaps to suppose that Mr. Hastings, from a pecuniary Consideration to himself, might relax in his Demands for the Company, though I have not the smallest Reason to believe that Mr. Hastings ever gave him Cause to suppose it.

“ Do you conceive that if the Governor General had desired Cheyt Sing to lend the Company 2 Lacks of Rupees, or even a much larger Sum, upon their Bond, that he would have denied such a Request ?

“ I think he would have evaded it, by pleading his Poverty.

“ Do you think that the Company’s Influence over him was so little, or their Credit so bad, that he would have hazarded the Displeasure of the Court General rather than lend them Money upon a Security for Repayment ?

“ Yes, I think he would ; and because I have heard Lieutenant Colonel Upton, and many other Officers, complain of the Disaffection of Cheyt Sing’s People, and his own Unwillingness to oblige the Company.

“ If Poverty was to be pleaded as an Excuse, might not that have been pleaded with more Propriety when a Present was to be made to the Governor General, than when a Loan was to be made to the Company which was to be repaid ?

“ Yes, it might ; but I look upon the Present to have been voluntary on the Part of Cheyt Sing. I think, if Mr. Hastings had asked Cheyt Sing to give him Two Lacks of Rupees, he would have pleaded Poverty.

“ Do you consider the Present made by Cheyt Sing to the Governor General as made to him, or to the Company ?

“ I consider it as made to the Governor General ; but I think it became the Property of the Company the Moment he received it.

“ If

" If this Money so given to the Governor General became the Property of the Company, why did Mr. Hastings demand Five Lacks more for the Use of the Company as an extraordinary Aid for that Year from the Rajah ?

" It did not appear to Cheyt Sing that it was to be the Property of the Company : I think it was the Pressure of the Company's Affairs that made him accept those Two Lacks of Rupees, and enforce the Payment of the Five Lacks during the War.

" Do you conceive that any Power in India, over whom the British Influence extends, would rather give Two Lacks of Rupees to the First Officer of the Government there, than lend that Sum to the Company upon their Bond ?

" I think they would—such are the Prejudices of the People.

" Major Scott withdraws.

" Adjourned till To-morrow."

Then the following Question was put to the Witness :

Q. Is there any Explanation that you wish to give, upon the Suggestion of the Difference, between the Evidence you have now given at the Bar, and the Evidence you gave before ?

A. I really do not conceive that there is any Observation I can make, except this ; that I had shewn the Paragraph of that Letter to General Smith : as the Sums were not particularly discriminated, when they were mentioned to me on the first Part of my Examination before the Select Committee, I was asked, Did I know of whom such a Sum, and such a Sum, was received : I answered, No ; but recollecting that Circumstance of my Letter, I laid it before the Committee at large, as before I had shewn it to General Smith ; for the Way by which the Committee came to know that there was a Word about a Present from Cheyt Sing was from myself ; I never had a Wish to conceal any Thing about the Presents ; I trust the Matter very sufficiently explains itself.

The Managers for the Commons were asked, whether there was any Question they wished to put to the Witness, by way of explaining it further.

The Managers for the Commons did not put any further Question.

Then the Witness acquainted the House, that, upon the Evidence taken the First Day he was examined at the Bar of the House, there was a slight Inaccuracy, which he begged Leave to correct ; and which he had mentioned to the Clerk upon first seeing it.

Then the Witness proceeded as follows :

A Question was put to me, " What other Person, to your Knowledge, had seen the Paper called, ' The Defence, before its being read in the House of Commons ? ' " The Answer taken down is this : " I really cannot state any Gentleman, to my Knowledge, who has seen the Whole ; but I can state those who have written Parts of it (a)." Then I was desired to name any Persons, and, among the rest, I mentioned Mr. Markham.—From the Manner in which it is taken down, it might be supposed Mr. Markham wrote Part of the Defence ; that is not the Fact ; what I meant to state was, that Mr. Markham saw a Part of it before it was presented at the Bar of the House of Commons.

The Counsel for the Defendant desired Two Paragraphs of a General Letter to the Court of Directors, signed Edward Wheler and John M'Pherson, dated, Fort William, 19th October 1781, and indorsed, " Re^d p^r Nymph Sloop of War, 16th May 1782," might be read.

Read, the following Extract from Book 29, already delivered in.

Par. 4. " We have likewise availed ourselves of the Return of the Nymph to Fort St. George, to dispatch a further Supply of Five Lacks of Rupees in Specie, to relieve the pressing Exigencies of that Presidency. "

5. " We still detain the Swallow, in Hopes of being able to send you full and satisfactory Information by her of the Measures concluded by the Governor General, and shall lose no Time in dispatching her, as soon as we shall be possessed of these Materials, which we expect daily. "

Q. (by a Lord.) I wish to give the Witness an Opportunity of explaining one Part of his Evidence respecting the Nymph.—Have you any Reason to suppose the Dispatches which have been read are inaccurate, in stating the Nymph to have sailed from Bengal to Madras, on the 19th of October 1781 ?

A. No. I conceive the Fact to be this; that the Nymph was sent from Madras to Bengal with Letters, earnestly pressing the Government of Bengal to send Supplies of Cash, of which they were very much in want: That Mr. Wheeler and Mr. Macpherson took the Opportunity of the Return of that Ship with Money to send a Letter to the Court of Directors, under the Idea that Sir Edward Hughes would find it necessary to dispatch a Vessel to Government, with Advice of the Operations of the War.—That Sir Edward Hughes, some Time after the Receipt of that Letter, did think proper to dispatch this very Ship the Nymph, which was not supposed, at the Time she left Bengal, to be bound for Europe.—He dispatched this very Ship with the Account of the taking of Trincomale.—I conceive that to be the Fact.

Read, a further Extract of the General Letter to the Court of Directors, signed, Edward Wheeler and John Macpherson; and dated, Fort William, October 19th 1781; above produced and delivered in (a).

“ Fort William, October 16th 1781.

“ Honourable Sirs,

Par. 1. “ We avail ourselves of the Departure of His Majesty’s Sloop, the Nymph, for the Coast, to address to you this Letter; and we have requested Sir Edward Hughes to forward it by the first proper Conveyance.

Par. 2. “ In a short Time we propose to dispatch the Swallow Packet direct for England; by her we shall have the Honour of communicating to you the fullest Information regarding your Affairs. We hope we are not too sanguine, in expecting to transmit you then, very satisfactory Advices, and such as may effectually relieve you from the Anxiety necessarily created, by the Accounts which you must have lately received from this Country.”

Q. (by a Lord). Was the Letter of January 1782, that was put into a Box addressed to you, the single Instance of a Communication of Mr. Hastings, through you, to the Secret Committee?

A. I am not quite certain, but I think it was the only one. I do not speak positively.

Q. Was Mr. Hastings in any general Habit of transmitting Letters to the Secret Committee, through you?

A. Mr. Hastings transmitted Letters through me to the King’s Ministers, when he wrote to them; but I think that is the only one, through me, to the Secret Committee.

Q. (by a Lord.) In Explanation of that Part of your former Evidence at the Bar of this House, where you say, “ I really cannot state any Gentleman, to my Knowledge, who has seen the Whole, but I can state those too sanguine, in expecting to transmit you now to say, that the Word, *written*, is a Mistake; and you mean to say, “ *seen* Parts of it?”

A. As applied to Mr. Markham only.

Q. Did Mr. Middleton write any Part of that Defence?

A. No; Mr. Middleton wrote no Part of it: But he furnished me with Minutes and Observations, which I afterwards drew up, and put into Form.

Q. Whether this Passage is a Part of the Defence written by Mr. Halhed, as it stood when it was carried by you to Mr. Hastings, and read to him—Speaking of Cheit Sing, he says, “ Whether or not I personally forgave him, is of no Consequence: I never sought to punish him, but on public Grounds; and, had he faithfully discharged his Duty to the Company, he would never have heard a Syllable of my Resentment (b);” was this Passage read by you to Mr. Hastings when you carried him the Copy of that Defence, to know whether he approved of it, or not?

A. If that Passage is not one of those Passages in Mr. Halhed’s Hand-writing—(I have not the Defence before me now)—it certainly was; if it is a Part that is in his Hand-writing, it was not.

The Witness was directed to withdraw.

The Managers for the Commons stated, they should next proceed to trace this Present through Gopaul Dofs to the Time the Begums were plundered, and shew that Gopaul Dofs was particularly recommended by Mr. Hastings to Mr. Middleton.

Then Mr. Robert Hudson being again called, produced a Book marked C, and intituled, “ Letters from the Board—1775 to 1782.”

Read, a Letter from Mr. Hastings to Mr. Middleton, dated Benares, 22d Decem-ber 1781, from the said Book.

“ Mr. Nathl Middleton, Resident at the Court of his Excellency the Vizier, Lucknow.

“ Sir,

“ The Services rendered to the Company by the House of Gopaul Dofs * Hurry Kissen Dofs, * Sic in Orig. in their several Remittances of Cash to the West of India, and wherefoever else they have had

(a) Vide supra, Page 571.

(b) Vide supra, Page 25, Line 17.

Occasion to send Supplies of Money to their Troops; the Punctuality with which the Bills have been always honoured and paid, and the large and extensive Credit which this House possesses wherever it has any Dealings, are the strongest Reasons for my wishing to give it every Encouragement within the Power of our Government; and I desire that, in any Remittances which you may ever have to make on the Company's Account by Bills of Exchange, either to Calcutta or to the Stations of the Army, may be taken from it, whenever offered, if the Rate of them be as moderate and equitable as that of those obtainable from any other Person. Gopaul Dofs has a Gomastah residing at Lucknow.

" I am,
Sir,

" Benares,
" 22d December 1781.

Your most obedient humble Servant,
(Signed) Warren Hastings."

Then the Witness produced a Book marked B, intituled, " Letters to the Board, from 1777 to 1782."

Read, a Letter from Mr. Middleton to Mr. Hastings, dated Fayzabad, 15th January 1782, from the said Book.

" To the Honourable Warren Hastings, Governor General, &c. &c. &c.

" Sir,

" I was duly honoured with your Commands of the 12th and 22d December last; the former respecting a Seizure which had been made by Khoja Bahar Ally Cawn of some Cloths manufactured at Tanda on Account of Gualdafs and Bolanaut, Merchants of Benares, under Pretext of their being the Property of Ram Laulla, who he had confined on a Charge of Debt; and the latter recommending Gopaul Dafs, in particular Terms, for his Services to our Government, and the Punctuality with which he has acquitted himself of all his Engagements and Transactions with it. To this, Sir, be assured I shall pay the most attentive Regard, and always give his House that Preference to which it has so just a Claim, in all Remittances or Money Transactions which may pass through my Office.

" Immediately on my Arrival at Fayzabad, I made a strict Inquiry into the Complaint of the above mentioned Seizure, and finding, from a Variety of Evidence, the Fact precisely as it had been stated to you, I caused the Cloths to be released and delivered over to the Gomastah of Gual Dafs and Bolanaut, who attended here for that Purpose.

" It having also been intimated to me that Ram Laulla, a Shroff and Relation of Gopaul Dafs, had been imprisoned by Bahar Ally Cawn, on Pretences equally vague and unjust, which I had Reason to believe was the Case, from my having failed in my Endeavours to procure his Enlargement near a Twelvemonth ago, although solicited on an Offer of the Security of Gopaul Dafs and my own, if desired, for the Payment of whatever Sum should appear due from him on an Adjustment of their Accounts: I determined also to take this Opportunity of inquiring into that Matter, and procuring the Man Justice; for which Purpose, I applied to Bahar Ally Cawn to send him to me, and repeated the Offer of Security which I had before made; he however thought proper to decline or rather evade Compliance with my Demand; and to testify his Resentment at the Application made for my Interference, he instantly doubled the Guard on his Prisoner, dispatched an Escort to bring his Family from Tanda, and by every Means in his Power encreased the Rigour of his Confinement. In this Situation he remained until the Day after the Seizure of Bahar and Jowar Ally Cawn, when he was brought to me by my own People loaded with Irons, which I had immediately taken off, and setting him at large, have desired him to deliver me a Statement of his Account with Bahar Ally Cawn, which I shall take Care to see equitably adjusted.

" Fayzabad,
the 15th January 1782.

I have the Honour to be with, &c. &c. &c.
(Signed) Nath. Middleton."

Read, also, from the same Book, the following Letter from Mr. Nathaniel Middleton to Mr. Hastings, dated Lucknow, 21st Feb. 1782.

" To the Honourable Warren Hastings, Governor General, &c. &c. &c.

" Sir,

" It appearing by a Letter received from your Accomptant General, dated 23d August 1781, that the Nabob's Debt to the Honourable Company, agreeable to his Statement, exceeds the Amount at which it stands in my Office, owing to Entries made in the Account at the Presidency, never before communicated to this Station; I have deemed it expedient, although unauthorized by the Sanction of your Orders, to avail myself of Assets nearly equal to that Excess, and shall retain them while the Accounts go through the Examination of the Nabob's Officers, for which Purpose they have been delivered to them; and as soon as they have finished and given me their Report upon them, which they assure me shall be in a very few Days, I shall do myself the Honour to lay it before you, in order to obtain your final Instructions for the Liquidation.

" Lucknow,
the 21st Feb. 1782.

" I have the Honour to be, with the greatest Respect,
Sir, your's, &c.
(Signed) Nath. Middleton."

Then

Then the Witness produced a Book, marked E, intituled, "Miscellaneous Letters, 1776 to 1781."

Read, the following Letter from Mr. Middleton to Major Palmer, dated Lucknow, 29th October 1781, from the same Book.

"To Major William Palmer, Military Secretary to the Honourable the Governor General.

"Sir,

"I have received the Honour of your Letter of the 24th instant, signifying to me the Governor General's Commands, that I should order Escorts for such Treasure, as the Gomastah of Gopaul Dofs may have to transport from Lucknow to Benares, from Time to Time, for the publick Service; which you will be pleased to assure the Governor, shall be punctually obeyed.

"Lucknow,
the 29th October, 1781.

I am, Sir,
Your most obedient, humble Servant (a)."

The Witness produced Book 85, intituled, "Bengal Secret Council, 3d February to 1st April 1783."

Read, Extract of a Letter to Mr. Hastings, signed Nath. Middleton, and dated 23 October 1782, from the Appendix to a Consultation of the 3d March 1783, beginning at Page 356 of the same Book.

"Fort William, 3d March 1783.

"At a Council, Present,
The Honourable Warren Hastings Esquire, Governor General, President;
Lietenant General Sir Eyre Coote, Commander in Chief;
Edward Wheler
John Macpherson } Esquires.
John Stables

Secret Dept.
Monday,
3d March.

"Extract from Mr. Middleton's Letter, dated 23d October 1782.

"I must beg Leave to refer you to my Correspondence with the Honourable the Governor General, for a full Account of the Origin and Nature of my Transactions with the Begums at Fayzabad; and the Letters which have passed between me and the Officers who have severally commanded there, will shew you the Progress and present State of that Business. The Balance due from the Bow Begum, upon her Agreement, made in January last, after allowing her Credit for the trifling Articles lately sent here by Major Gilpin, will be about Five Lacks, which I apprehend may be realized, if you deem it expedient to continue the Restraints which have been imposed for that Purpose: She had, indeed, given Major Gilpin the most satisfactory Assurances of an immediate Liquidation of this long depending Account, in which, I believe, she was sincere; but, probably, from an Expectation of a Change of Measures, upon my Removal, she has lately retracted those Assurances, and now declares her Determination to make no further Payments whatever, but upon the Certainty of her Jaghires being restored to her; which I could give her no Hopes of, as the Propriety of its Resumption has been sanctified by the Approbation of the Honourable the Governor General; who further expressly enjoins me, in his Instructions of the 27th January, to exert my Influence with the Nabob, to prevent the Conclusion of any final Settlement between him and the Begums, until I should be furnished with Instructions from him or the Board on that Head. Not having, since the above Date, received any Directions from the Board, or the Governor General, relative to the Begums, I know not what may be their Wishes in regard to them; but I thought it, at all Events, my Duty, conformably to the Spirit of the Orders I had received, to retain Possession of the Killa at Fayzabad, and the Persons of the Bow Begum's Two principal Eunuchs, until the Sum she had stipulated to pay was fully liquidated, or the Honourable Board should notify their further Pleasure: And in this State, Sir, I commit the Business to your future Directions, expressing my sincere Wish, that you may find Means to effect the Recovery of this Balance; which, among other Balances, originally constituted a Part of the Securities made over to Gopaul Dofs, for the Repayment of his Advance to the Vizier for the Company's Use, and should, I apprehend, if possible, be realized for Almas Ally Cawn, who has employed his own Credit upon the Faith of those Funds for the immediate Satisfaction of Gopaul Dofs's Debt."

Then the Managers for the Commons informed the House, That the Evidence about to be produced related to the Treaty of Chunar, and requested the House would recollect, that in the Answer put in by Mr. Hastings at the Bar, he states, in Contradiction to all his former Statements upon that Subject, That upon the 19th of September, when he signed the Treaty, he was apprized of all the Circumstances which he pretends ever to have known against the Begums.

The Managers for the Commons stated, that the First Letter about to be read was a Letter to Mr. Wheler, to whom Mr. Hastings communicated all the Transactions he had learned respecting Oude, or respecting the Disaffection of any Persons he had come to the Knowledge of against Government; and begged the House would observe, that in this Letter, dated 18th of September 1781, Mr. Hastings makes no Mention whatever of having any Suspicions even of the Begums being disaffected to our Government.

Read, the following Extract, from Part 2d of the Appendix to the Narrative of the Insurrections at Benares, beginning at Page 115 of the same Book.

“ Num. 90.

“ To Edward Wheler Esquire.

“ Sir,

“ My last was the 11th. The Forces now assembled are the 6th, 7th, 19th, 30th, and 35th Regiments, Lieutenant Polhill's Regiment of the Body Guard, Two Companies of European Grenadiers and Light Infantry, Thirty Artillery Men, and the Rangers, and 600 of the Nabob's Horse. Major Popham marched on the 16th; one Division to Pateeta, another with Major Crabb to the Back of the Lutteefpoor. I do not expect any thing decisive so soon as I wish; there must be Delays, and I feel them sorely; but I thank God that I am myself a Witness of the Evils, Wants, and Errors of our Service, though I have been nearly the Victim of them, since it has furnished me with the Means, though slow, of correcting them. The Province of Oude has caught the Contagion; but I shall dismiss the Nabob in a few Days, and doubt not but his Troubles will be soon quelled. I give my sole Attention to the present Object, which accomplished, every other will follow. Major Crawford must be near; I expect him hourly. Believe no Report. I have not yet received one Letter from you.

“ Chunar, 18th September 1781.

I am, &c.

“ Warren Hastings.” (a)

The Managers for the Commons stated, they should next read the Articles of the Treaty which related particularly to the Begums, with Mr. Hastings's Observations upon them.

Read, the following Extract from The Appendix to the Benares Narrative, beginning at Page 1 of the same.

“ Num. 1. A.

“ Letter to the Governor General and Council, dated the 29th of November 1781, respecting the Governor General's Agreement with the Vizier.

“ To Edward Wheler and John Macpherson, Esquires, Members of the Council of Fort William.

“ Gentlemen,

“ I must have Recourse to your Indulgence, on the Occasion of every Report of Importance, for the Delay in transmitting it. Many are the Causes of these Delays, which I need not enumerate, as I am myself the principal Sufferer by them: Indeed I am almost tempted to say, that I find a Sufficiency for the Occupation of each Day in the Evil thereof, and in a Thousand little Occurrences, less known in a regular Process of Business, which exact their Share of Attention, and pass without any substantial Effect. It was for this principal Reason, that I have again shifted my Residence from Banaris to this Place, where I shall hope for more Leisure to bring up a long Arrears of Business, than it would have been possible for me to have cleared if I had continued there.

“ I have now to inform you of my Transactions with the Nabob Vizeer, during his short Stay at Chunar: These are comprised in the inclosed Papers, viz.

Nº 1. Articles of Agreement concluded with the Nabob Vizeer.

1. A and B. Explanation of the above Articles.

2. Agreement of the Nabob Vizeer.

3. Reasons for the above Agreement.

4. My Instructions to the Resident.

5. Orders issued in consequence of the Agreement (b).”

Read, also, the following Extract, beginning at Page 2 of the same.

“ To the Copy of the Articles of Agreement, Nº 1. I have added the Papers Nº 1. A, B, C. which will fully explain my Reasons for the several Articles; and to these I beg Leave to refer

(a) Vide supra, Page 209.

(b) Vide supra, Page 138.

you. Upon the Whole, generally, I have only to observe further, that the Agreement was drawn up from a Series of Requisitions presented to me by the Nabob, to whom I was happy in the Occasion of making such a Return for the uncommon Instance of Fidelity and Attachment which he had recently shewn to our Government, by an instant and unqualified Assent to each Article. This was done verbally in his Presence. And in like Manner I requested and obtained his Acquiescence in the short Condition which followed mine. I considered the Subjects of his Requests as essential to the Reputation of our Government, and no less to our Interest than his; and if the Resident performs his Duty in the Execution of my Instructions, the Nabob's Part of the Engagement, by a singular Inversion of their Purposes, in both Instances, will prove of still greater Benefit to him than to our Government, on whole Behalf it was exacted.

" Chunar,
29th November 1781.

" I have the Honour to be,
with the greatest Esteem,
Gentlemen,
Your most obedient Servant,
Warren Hastings."

" NUM. I. B.

" Copy of the Agreement concluded by the Governor General with the Vizeer, on the
19th of September 1781.

" The Nabob Vizeer ul Mummalick Assoff ud Dowlah Assoff Jah Yeheyah Khan Behader, having repeatedly and urgently represented, that he is unable to support the Expences of the temporary Brigade, Cavalry, and English Officers, with their Battalions, as well as other Gentlemen, who are now paid by him under the Denomination of Sebundy, &c. &c. and having made sundry Requests to that and other Purposes; and as the Constancy and Firmness of his Alliance with the Company entitle him to every Consideration and Relief that may depend upon us; I Warren Hastings Governor General, Imaud ud Dowlah Jelladit Jung Behader, &c. &c. on Behalf of the Governor General and Council, have agreed to the under-mentioned Articles, this 19th Day of September, in the Year of our Lord 1781, corresponding to the last Day of Ramzan 1195 of the Hidjeree.

" 1st. That the temporary Brigade, and Three Regiments of Cavalry, be no longer charged to the Nabob's Account for the Year Fufflee 1189, excepting a Term of Two and an Half Months, which is required for their passing the Nabob's Boundaries; and for which, together with all former Arrears, their usual Pay and Allowances are to be made good: Also the English Officers, with their Sebundy Battalions, and other Gentlemen, excepting the Resident's Office, now upon the Nabob's List, be no longer at his Charge for the Year 1189; the Arrears being paid up with the Addition of Two Months Allowances. The true Meaning of this being, that no more Troops be paid for by the Nabob than the Number of European Infantry, Artillery, and Sepoys agreed for, under the Title of One Brigade, with the late Nabob Shujah ud Dowlah, now paid for at the Rate of 2,60,000 Rupees per Month; to which is now to be added, One Regiment of Sepoys of the present Establishment, expressly allowed for the Purpose of protecting the Office, Treasury, and Person of the Resident at Lucknow; the Pay and Allowances of which are to commence from the 1st of Aughun next, at the Rate of Rupees 25,000 per Month. The Regiment to be relieved every Three Months. The Brigade to be stationed or moved wherever the Nabob shall direct, in the Mode prescribed in the former Treaty with the Nabob Vizeer deceased. And finally, That whenever the Nabob Vizeer shall require a further Aid of Troops from the Company, the Pay and Allowances shall commence from the Day of their passing the Carumnassa. Also, should the Assistance of the Nabob's Troops be required by the Company, their Pay and Allowances, as may then be agreed upon, * be allowed during the Time they * Sic in Orig. may serve.

" 2d. That as great Distress has arisen to the Nabob's Government from the Military Power and Dominion assumed by the Jagheerdars, he be permitted to resume such as he may find necessary, with a Reserve, that all such for the Amount of whose Jagheers the Company are Guarantees, shall, in the case of the Resumption of their Lands, be paid the Amount of their net Collections, through the Resident, in ready Money.

" 3d. That as Fyz-Ooalla Khan has, by his Breach of Treaty, forfeited the Protection of the English Government, and causes, by his Continuance in his present independent State, great Alarm and Detriment to the Nabob, he be permitted, when Time shall suit, to resume his Lands, and pay him in Money, through the Resident, the Amount stipulated by Treaty, after deducting the Amount and Charges of the Troops he stands engaged to furnish by Treaty; which Amount shall be passed to the Account of the Company during the Continuance of the present War.

" 4th. That no English Resident be appointed to Furruckabad, and the present one recalled.

" 5th. That the Treaties made between the English and the Nabob Shujah ud Dowlah be ratified between the present Parties, as far as may be consistent with the above-written Articles; and that no Officers, Troops, or others, be put upon the Nabob's Establishment, exclusive of those herein stipulated.

" Warren Hastings (a)."

(a) Vide supra, Page 138, & seq.

Read also, the following Extract, from Page 8 of the same.

“ NUM. 1. C.

“ Minute of the Governor General explanatory of his Agreement with the Vizeer.

“ Par. 2. The Mischiefs to which the Nabob is exposed, from permitting a Number of rich independent Estates, supporting a Body of military Tenants, to be maintained in the Heart of the Country, are of the same Nature which we have recently experienced from the enormous Wealth and Influence of Rajah Cheit Sing; and, in fact, the Nabob did experience them also, and at the same Time, and from the same Causes.

“ The Jagheers, possessed by the Begums, have enabled them to give frequent Disturbance to the Nabob's Government; and, it can be well attested, that they principally excited and supported the late Commotions in Gooruckpoor, &c. in Concert with Cheit Sing, and that they carried their Inveteracy to the Nabob and the English Nation so far, as to aim at our utter Extirpation. By a Despotism so malignant, and a Conduct so offensive, and even dangerous to our Existence, as have been manifested by the Begums, without the smallest Injury or Provocation on our Parts, they have forfeited all Claim to that Protection which we afforded them, in exacting from the Nabob, at the Time that Mr. Bristow assisted him in obtaining 30 Lacks of Rupees from them, a Promise to our Government, that those Ladies should enjoy full Possession of their Jagheers unmolested. We have a Right to withdraw this Protection when they are no longer worthy of it, and to provide against their Machinations, by a Concession of that Pledge which afforded them the Means of injuring and distressing us.

“ The Begums will suffer no actual Loss by the Resumptions of the Jagheers, except of an Influence which they have invariably employed to the most pernicious Purposes, against one State which had conferred, and another which secured and protected them; since it is stipulated, that they shall receive the Amount of the net Collections of them, in Money, by the Hands of our Resident.

“ These Arguments will apply to the Situation of all the other Jagheerdars, though they may not to their actual Conduct or Dispositions; but as we are neither engaged for their Possessions, nor have any immediate Connection with them, the Nabob should be left to the Exercise of his own Authority and Pleasure respecting them (a).”

Read also, the following Extract, beginning at Page 11 of the same.

“ NUM. 1. D.

“ Copy of the Agreement made by the Vizeer with the Governor General.

“ Having on my Behalf agreed to the Requisitions of the Nabob Vizeer, without Diminution or Reserve, I must now repeat the Request, which I before verbally made to him, that he will be pleased to attend to such Proposals as I shall have to make to him; and to these I expect his Assent the more readily, as they have for their ultimate Object his Interest alone, that of the Company being no further concerned than in the Influence which they will eventually have in the Payment of the Debt due from the Nabob to the Company. I therefore recommend to him to reduce the great Number of his Sebundy and other Troops to regular and compleat Establishments; not to be paid by Assignments of Revenue, but in Money from the Treasury; and their Number not to exceed the certain Means of paying them. But as this may be difficult, without making a Separation of the Nabob's public and private Funds, I further recommend, that he receive into his private Purse no more than a fixed Monthly Sum for the Expences of his Person and Household; and that the Remainder of the net Collections be left in a public Treasury, under the Management of his public Ministers, and the Inspection of the Resident, for the Discharge of his Military and Civil Disbursements.

“ This Advice is not meant to affect the Assignments actually made, and which must be annually renewed for the Payment of the past Debt, and the current Demands of the Company.

“ Signed and sealed by the Nabob, accepting and promising to conform to the above Advice (b).”

Read also, the following Extract, beginning at Page 16 of the same.

“ NUM. 1. F.

“ Second Minute of the Governor General, containing his Answers to possible Objections to be made against the several Parts of his Agreement with the Vizeer.”

“ Few Objections can be made to the Second Article. It may be suggested, 1st, that it will excite Clamour and Discontent, which in the present

“ 2d. No Effects of any additional Clamour and Discontent, excited by the Resumption of the Jagheers, could exceed those of their actual Defection;

(a) Vide supra, Page 141.

(b) Vide supra, Page 142.

present Time may be dangerous; and 2dly, that it will be, in a principal Instance, a Breach of our Faith, which is pledged to guarantee a Treaty concluded, through the Means of Mr. Bristow, between the Nabob Vizeer and the Nabob Alla Begum, his Mother; in which it is stipulated, that no subsequent Claim should be made on her Property, or Invasion of her Rights.

fection; and the Begum herself had forfeited all Pretension to the Benefit of the Treaty executed for her Behalf, by having been the first Mover and most busy Actor of the Sedition (a)."

Read also, the following Extract, beginning at Page 18 of the same.

" NUM. I. G.

" Letter of Instructions from the Governor General to the Resident at the Vizeer's Court.

" To Mr. Nathaniel Middleton, Resident at the Court of the Nabob Vizeer.

" Sir,

" Having on the 19th instant entered into certain Engagements with the Nabob Vizeer, tending to relieve his Finances of a Burthen they were no longer able to sustain, with sundry other Clauses, the Execution of which is intrusted to you, I herewith inclose an authentic Copy of the same, for your Guidance. The Nabob, on his Behalf, has subscribed and sealed an Agreement in your Presence, and in the Presence of Mr. Richard Johnson and Hyder Beg Khan, respecting the better Administration of his Affairs; of which I also transmit you an authentic Copy.

" To these Papers, and to the Points consequently and necessarily dependent on them, I think it necessary to add the following Instructions, to which I require your most implicit Obedience.

" I need scarcely inform you, that my chief Object in my Negotiations with the Nabob has been to induce and assist him to bring his Government and Finances into such Regularity, as to prevent his Alliance from being a Clog instead of an Aid to the Company, and to enable him to discharge his Debt in the shortest Time possible. To this End, the most essential Point is to limit and separate his personal Disbursements from the public Accounts. They must not, in their total annual Amount, exceed what he has received in any of the last Three Years. This Amount, in Twelve equal Parts, should be paid him monthly out of the First Receipts, and the Remainder of the net Collections placed separately in a public Treasury, from whence his Public Military and Civil Establishment must be paid, under the sole Management and Controul of the Ministers, with your Concurrence. It is of course to be understood that this has no Connection, and is in no Shape to interfere with the Company's Assignments, and the Collections upon them, which are to be conducted as usual: And as by the Addition of the Jagheer Lands, with their Revenues, to the Nabob's regular Collections, his Income will, or ought to be considerably increased, I shall expect that the Whole of the Excess be appropriated to the Discharge of the Nabob's Debt to the Company.

" After settling the Amount of the personal Disbursements of the Nabob Vizeer and his Household, the next Point that will require your Exertions towards the general Arrangement of the public Charges, is to reform the established Muttaiena Troops, reducing them into One established Corps for the whole Service. If this Corps should be brought to consist wholly of Cavalry, it would best answer mutual Benefit; leaving no Infantry in the Nabob's Service but what may be necessary for his Body Guard; and to supply the Deficiency, should any occur from such Arrangement, our Infantry may be employed where Infantry are wanted.

" The Corps reformed and established, their Pay must be issued from the public Treasury. No Assignments to be in future granted them, and those already issued to be recalled. To complete this, all Numbers above what the real Service may require, or the actual net Receipts may be adequate to the full Payment of, must be disbanded as fast as their Arrears can be paid off.

" The Nabob will select and appoint his own Commanders; but if he should nominate improper Persons, such as Men commonly known by the Name of Orderlies, or others deriving their Influence from them, or of known Disaffection to our Government, you are in such Case to remonstrate against it; and if the Vizeer shall persist in his Choice, you are peremptorily, and in my Name, to oppose it, as a Breach of his Agreement.

" For the Management of the Collections, the Ministers, with your Concurrence, are to choose all Aumils and Collectors, and in their Choice to be guided by the Responsibility, good Reputation, and known Ability of the Persons they elect, that Charges may, as far as possible, be avoided.

" Much is to be said, though little may now suit, upon the Subject of the Distribution of Justice in the Nabob's Dominions. For the present, I limit myself to direct you to urge the Nabob to endeavour gradually, if it cannot be done at once, to establish Courts of Adaulut throughout his Districts; the Darogahs, Mowlavies, and other Officers of which must be selected, as in the Case of the Aumils, by the Ministers, with your Concurrence. The Want of these Courts is equally hurtful to the Revenue, Government, and Reputation of the Nabob.

(a) Vide supra, Page 145.

" In consequence of the Disturbances which the rebellious Example of Rajah Cheit Sing has caused in the Nabob Vizeer's Country, I have intrusted Colonel Morgan to assist you on the Requisition of the Vizeer, communicated by you to him, or at your own single Application, if any Case of Emergency should make it needful, with such Detachments as may be necessary, exclusive of the Regiment of Sepoys which is stipulated to remain with you at Lucknow. This Power you are not to exercise but in Cases of the most urgent and manifest Necessity. It is directed, that the Regiment ordered for the immediate Protection of your Office and Person at Lucknow, shall be relieved every Three Months, and during its Stay there shall act solely and exclusively under your Orders.

" It is finally my positive Order, that you do not permit any British Subject, or others claiming the Name and Protection of the Company, to reside at Lucknow, or within any Part of the Dominions of the Nabob Vizeer, except the Officers and Soldiers of the Army acting in their Duty, and such Persons as are officially appointed to remain there. And that to such as are now at Lucknow, or in any other Part of his Dominions, not falling within the Description of the above Exception, you give due Notice in Writing, that they quit the Country, allowing them a reasonable Time, not exceeding Three Months, to settle their Affairs; and in case of their Refusal, you are to inform the Nabob thereof, that he may use his own Authority to compel them to depart.

" I am, Sir,

Your most obedient humble Servant,
Warren Hastings (a)."

" Chunar,
23d September 1781.

Read also, the following Extract, from Page 2 of the same.

" I have alluded to the general Reasons which have prevented me from transmitting the Reports of my Proceedings to the Board with Punctuality. I am obliged to add a special Cause for the present Instance, which is, that the Resident having carried with him all the authentic Papers relating to this Business to Lucknow, I have since waited both for them and for the preceding Estimates, which are yet incomplete, though sufficient for general Elucidation (b)."

Then the Witness produced Book 82, intituled, " Bengal Secret Council, 2d June, 30 Ditto 1783."

Read, a Letter to Mr. Hastings, signed Nath. Middleton, and dated Lucknow, 22d December 1781, from the Appendix to a Consultation of 12th June 1783, beginning at Page 131 of the same Book.

" Fort William, 12th June 1783.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President.
Edward Wheler,
John Macpherson, } Esquires.
John Stables,

" Appendix to Consultation 12th June 1783.

" To the Honourable Warren Hastings, Governor General, &c. &c.

" Sir,

" I have been honoured with the Receipt of your Letter of the 19th instant, and, in Obedience to your Commands, shall forward to you, by the first safe Opportunity, your Agreement with the Nabob Vizier, together with such other authentic Papers as are connected with it, and have the Honour to be, with the greatest Respect,

Sir, your most obedient, &c. &c.

" Lucknow,
22d December 1781.

(Signed) " Nathaniel Middleton,
" Resident at the Vizier's Court."

The Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

(a) Vide supra, Page 146.

(b) Vide supra, P. 138.

Die Jovis, 1^o Maij 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons, they might proceed with their Evidence.

Then it was moved, that Major JOHN SCOTT be called in ; and being called in, he was examined as follows.

Q. You was asked Yesterday, whether any other Letter than the Letter so much in Question, addressed to the Secret Committee of the Court of Directors, was ever inclosed to you by Mr. Hastings ; to which you made Answer, There was not. I wish you to explain how it happened, that that Letter was inclosed to you, instead of being sent to the Court of Directors ?

A. I had it not in my Power, when I had the Honour to be before your Lordships Yesterday, to state any Reason why it was so sent ; but I have since seen a Gentleman, who was Secretary to the Council at that Time.

The Managers for the Commons observed, that from what had fallen from the Witness, it appeared the Evidence he was going to give, was the Hearsay of a Person he had seen ; and submitted to the House, whether it was regular for the Witness to give such an Answer.

The Witness was asked,

Q. Have you any Account to give of your own Knowledge ?

A. No ; I have no farther Account to give than that I understood the Letter had been sent to the Secretary to forward ; by an Accident it was not forwarded by him ; I have no Knowledge of my own about it.

The House observed, it was of no consequence what the Witness understood ; the only Matter of Consequence being, that the Letter was there.

Q. Do you know of any Duplicate of that Letter having been sent, and to whom ?

A. Yes, a Duplicate of that Letter was sent, and sent not through me, but directly to the Secret Committee of the Court of Directors, through the usual Channel. I understand that that Duplicate has been in use with the Court of Directors, and not the Original, which was, I believe, left before the Select Committee of the House of Commons.

Q. (*from the Managers*): When was that Duplicate sent ?

A. I cannot exactly say ; but it can be proved, exactly to a Day, by the Records at the India House.

Q. How do you know that that Duplicate was sent ?

7 I

A. If

A. If it is proper to state—I had it from Mr. Hudson, the Gentleman who attends from the India House; who told me it was at the India House.

Q. Do you know when it was sent?

A. I rather think, by the earliest Opportunity after the Nancy.

Q. (*by a Lord*). Do you know on what Day Major Fairfax delivered the Box to you?

A. I do not know the exact Day; it was one Day in July 1782; it was the Day he arrived at the India House.

Q. (*by the Managers*). Whether, as the Agent of Mr. Hastings, you had, at any Time, Communication with him by Expresses over Land?

A. Yes; I wrote repeatedly and regularly to Mr. Hastings over Land, and received Letters from him; but I never received a Letter from Mr. Hastings, except a Dispatch came at the same Time to the Company. I wrote to him, I believe, once a Fortnight over Land.

Q. At what Time did this Species of Communication commence between you and Mr. Hastings, and when did it cease?

A. I sent a Gentleman Express to Bengal, a few Days after the Resolution passed the House of Commons for the Recall of Mr. Hastings; I sent another Gentleman Express to Bengal, after the Court of Proprietors had recommended it to the Court of Directors, not to carry that Resolution of the House of Commons into Execution. I sent Mr. Hastings, by Way of Constantinople, an Account of the Death of the Marquis of Rockingham; and that the Marquis of Lansdown was at the Head of the Treasury.

Q. The Object of the Question is a General One: How long you continued in the Habit of corresponding in the Manner you mentioned before, by Expresses backward and forward over Land, with Mr. Hastings?

A. From the Month of May 1782 to the Month of May 1785, I believe; a Month before Mr. Hastings came to England, not being certain he would come that Year.

Q. When did you come over yourself?

A. I arrived in England in December 1781.

Q. And you began that Kind of Correspondence in the May following?

A. Yes.

Q. And continued it during the whole Time of his being resident there?

A. Yes.

Q. Do you mean, by Correspondence, to say, that you received Answers in the same regular Way that you sent Expresses over Land; whether the Correspondence was as regular on one Side as on the other?

A. I believe I have already said, by no Means; I never received a Letter from Mr. Hastings, except a Letter was sent to the Company at the same Time.

Q. What might be the Expence of these Communications sent by you, or paid by you on the Account of Mr. Hastings in this Business?

A. I don't exactly recollect the Sum, but I think between Six and Seven thousand Pounds. I don't speak quite correctly. The great Expence was from the Gentlemen who went over. There were Three Expresses sent by Gentlemen, and their Expences of course are always very high—and the others are expensive too—going by Arabs across the Desert. I think between Six and Seven thousand Pounds.

Q. Who paid that Expence?

A. Mr. Hastings himself.

The Witness was directed to withdraw.

The Managers for the Commons stated, That the last Letter of Correspondence between Mr. Hastings and the Council at Calcutta, which was submitted to the House, was addressed to Mr. Wheeler, and dated the 18th of September, upon the Day previous to the signing of the Treaty of Chunar; and that they should now produce the Correspondence between Mr. Hastings and Mr. Wheeler, after the signing of the Treaty of Chunar, down to the very Day upon which Mr. Hastings determined to seize the Treasures of the Begums, to shew that Mr. Hastings there details minutely all Reports—all Circumstances—all material Transactions whatever that came to his Knowledge, and never once mentions the least Hint or Insinuation against the Begums.

Read,

Read, Extract from Appendix to the Narrative of the Infurrection at Benares, beginning at Page 120 of the said Appendix.

" Num. 98.

" To Edward Wheler Esquire.

" Sir,

" I most heartily congratulate you on the Success of our Arms in the Conquest of Pateeta; for the Particulars of which I refer you to the inclosed Letter from Major Popham. I understand that large Reinforcements, both from Lutteefpoor and Ramnagur, opposed him in the Field. It was intended to attack both Pateeta and Lutteefpoor at the same Time; and the former, by an instant Assault. Major Crabb, with a strong Detachment, appointed for the latter Service, marched on the Night of the 15th by a large, and, as it has since appeared, scarce practicable Circuit, towards a Pass which lies behind, or to the South of Lutteefpoor. A Letter received this Morning mentions his Arrival on the Plain which adjoins to the Pass, after a March of Three Days instead of One, as was expected. It is the Road to Bidjeegur, and said to be the Repository of all the Rajah's Ammunition. Major Popham marched at Two of the same Night; nor did he reach his Ground with his whole Line until Ten, and then found the Place too strong to attempt it, without a regular Approach and battering Cannon. It fell at Six this Morning. I regard this Victory as a decisive Turn of our publick Influence; but the greatest Proportion of my Joy is derived from the Consideration that it was gained with little Bloodshed; an Advantage which I attribute, as I expected it, to the superior Skill and known Composure, nor less Humanity, of Major Popham. Major Crawford arrived here Yesterday Morning much harassed, but without Loss or Impediment on his Way.

" I have the Honour to be, &c.

Warren Hastings (a)."

" Chunargur,

" 20th September 1781.

Read, Extract from the same Book, beginning at Page 120 of the same.

" Num. 104.

" To Edward Wheler Esquire.

" Sir,

" On the 20th, Major Crabb defeated and routed a Body of the Enemy on the Plain above the Pass of Suckroot: Their Loss was 150 Men and 3 Guns, and much Ammunition; our's small. The Rajah that Evening fled from Lutteefpoor; his Men followed his Example; and Yesterday at Noon Major Crabb took Possession, the Place being totally deserted. I was Yesterday in Major Popham's Camp, and visited the Fort of Pateeta and its Intrenchment. They are both contemptible; but, in their actual State, absolutely impregnable against an Attack, had they made any Resistance. The Fort, though small, is of Stone, with 4 Towers; a parallel Rampart and Towers, and a Ditch of great Depth surrounding these, and the Town itself guarded by an Intrenchment extending far beyond it; and the Space between Hills, Rocks, and Jungle, almost impenetrable. At One o'Clock we had the Satisfaction to receive, by a regular Salute of 21 Guns, the instant Information of the Possession of Lutteefpoor by Major Crabb. I have taken upon me to grant a Brevet Commission of Major to Captain Lane, who commanded the Grenadiers of the Army, and performed distinguished Service. I this Instant receive an authentic Confirmation of the above Intelligence from Major Crabb.

" I am, Sir, &c.

Warren Hastings (b)."

" Chunargur,

" 22d September 1781."

Then Mr. Robert Hudson was again called, and produced Book 36, intituled, " Bengal Secret Consultations, from 2d July to 10th December 1781."

Read, Extract from a Consultation of 18th October 1781, beginning at Page 650 of the same Book.

" Fort William, 18th October 1781.

" At a Council; Present,

Edward Wheler, and } Esquires.
John M'Pherson,

The Honourable the Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote absent on Service at Fort St. George.

(a) Vide supra, Page 212.

(b) Vide supra, Page 215.

" Letter

" Letter from Mr. Hastings to Mr. Wheeler.

" Sir,

" I have had the Honour to inform you, in various and successive Letters, of my Transactions, and of the Occurrences which have befallen me since my Departure from Calcutta, and especially since my Arrival at this Place, on the 14th of last Month. It is my Intention to employ the first Hours of my Leisure in drawing up a detached Narrative of the latter for your Information. In the mean Time I shall continue to advise you, from Time to Time, of such Circumstances of Moment as occur in the Course of daily Business, both for your Information and for the Means of obtaining your Sentiments upon them for any Assistance and Guidance. I deem it a Misfortune that not one of your Letters, written with the Knowledge of the late Troubles, have reached me; and I much fear that many of mine may have miscarried, for which Reason I shall cause to be transcribed Copies of all written since 16th of last Month, and shall transmit them to you.

" Lest my Letters advising you of our late Successes should have been intercepted, I think it proper to repeat in this the Substance of them.

" The Arrival of the Detachment from Cawnpore under Major Crabb, of 10th instant, and Major Robertson, 13th, enable Major Popham to take the Field with a considerable Force. It was publicly expected that his first Attempt would be made upon Ramnagar; but such Information having been given of the State of the Two Fortresses of Lutteefpoor and Pateeta, as seemed to promise the certain and immediate Reduction of those Places, he accordingly formed his Army into Two Detachments, one commanded by Major Crabb, consisting of 1st Battalion of 6th Regiment, the 7th Regiment, the Battalion of the Nabob's Body-guard, commanded by Lieutenant Polhill, with Six 6 Pounders, and One 5½ Inch Howitzers; and the other under his own Command, consisting of 19th, 30th, and 35th Regiments, Two Companies of European Infantry, the Corps of Rangers, and about 30 Artillery, with Six 6 Pounders, Two 8½ Inch Howitzers, and an 8 Inch Mortar. The First Detachment marched on the Night of 15th, by a large Circuit through almost impracticable Ways. But the Spirit of the Officers and Men surmounted every Difficulty. In Places where the Guns could not be drawn by Bullocks, the Sepoys lifted them up the Rocks; and at length, in the Morning of the 20th, they arrived at the Heights, lying behind and above the Fort of Lutteefpoor, at a Place called Lora, which commands a Pass descending to Lutteefpoor, and reported inaccessible against Opposition, but from above. The profound Secrecy with which this Expedition was undertaken, and to which the Security of the Enemy in a Region so little frequented not a little contributed, prevented any Opposition to our Troops in the difficult Parts of their Route. Their First Movement only, but neither their Strength nor their Destination, was known, till their very near Approach. At Lora they met a Body of 2000 of the Enemy, which they defeated and dispersed, with little Loss on our Side, but on theirs of 200 Men killed on the Spot. The next Morning they took Possession of the Pass, and of the Fort of Lutteefpoor, which they found evacuated.

" In the mean Time, Major Popham marched with his Part of the Forces, on the Morning of the 16th, to Pateeta, a Place inconsiderable in itself, being a fortified Stone House, within a very high Rampart and a Ditch of very great Depth, and the Town, which is of great Extent, surrounded by Entrenchments. These being all obscured from Observation by Trees and thick Bushes, he judged it not advisable to attempt an immediate Assault upon the Place, which fortunately proved the Cause of concurrent Success in both Enterprises, almost in the same Instant of Time; for in the Morning of 20th, he stormed and took Pateeta, at the same Time defeating and dispersing Two Bodies of the Enemy that made an Attempt on his Camp. And on the same Day, and in the same Hour, Major Crabb fought and gained the Battle of Lora, which was the immediate and eventual Cause of the Capture of Lutteefpoor.

" The News of these combined Successes alarmed the Rajah to such a Degree, that he instantly fled, by a distant Route over the Hills, from Lutteefpoor, which, till that Time, had been his capital Residence, regaining the Road to Bidjeygur, the only direct Way to it being through the Pass abovementioned.

" The Consternation of his Followers was so great, and its Contagion so rapid, that, in a few Hours, the Fort or Palace of Ramnagar, and the Fortress of Lutteefgur, were wholly abandoned and evacuated.

" Major Balfour marched on 22d, and took Possession of Ramnagar.

" On the Morning of 25th, I parted from the Nabob, who set out on that Afternoon on his Return to his Capital. It is but Justice to the Nabob to declare, that on the first Intelligence of these Troubles, notwithstanding my repeated and pressing Injunctions to return to Lucknow, he prosecuted his March to Benares, with only a few Companies of Sepoys and 100 Horse at that Time attending him; and has, in every other Instance, given the strongest Proofs of his Fidelity and Attachment. In the Evening I departed from Chunar, and on the next Morning arrived at Ramnagar. My Stay there being unnecessary, and it having been represented to me, that my Presence at Benares would be a Means of quieting the Minds of the Inhabitants, I accordingly returned thither Yesterday Morning, and had the Happiness to find the City restored to a State of perfect Order and Tranquillity.

" I have issued Proclamations, offering Pardon to all who shall quietly return to their Obedience, excepting the Persons of Cheyt Sing and his Brother Sujan Sing, whom their late rebellious Conduct, and their Rancour manifested to our Nation, in the deliberate Murder of many of our Soldiers, and even unarmed Passengers, who had the Misfortune to fall into their Hands, have precluded from every Title to Lenity.

" The Persons standing next in the Line of Inheritance of the Zemindary, were Ranny Golaub Koower, the Widow of Rajah Bulwant Sing, their Daughter married to Rajah Durbijey Sing, and Bauboo Myipharain, their Grandson by the Two latter. By the Concurrence of the Two first Parties, and in consequence of a written Acknowledgement made by the Ranny, of the Right of her Grandson, Mayipharain, I have nominated him to the Succession of the Range; and I have appointed the Morning of To-morrow for his Investiture.

" I have forbore any particular Comments in this Place, reserving them where they will be more properly introduced for my detailed Narrative; yet I cannot suppress, without a Violence to my own Feelings, the Testimony which is due, especially from me, to the unexampled Zeal and publick Spirit of all our Officers, and the wonderful Activity with which these Qualities were displayed on the late Occasion. I have already acknowledged the early Exertions which were made by Colonel Blair during my former short calamitous Residence at Benares. Of Major Popham, I cannot say sufficient to express my Sense of his Services. Though my Letters were every where intercepted, Colonel Morgan, with a Decision and Solitude that reflect equal Credit on his Character, detached Major Crabb with his Party to my Assistance on the First and instant Rumour of my Situation. Colonel Sir J. Cuming, with the like Alacrity, obeyed the Order of his March to Cawpore, as did Colonel Ahmuty, in the immediate Dispatch of Major Crawford and the Troop of Cavalry. The same Spirit animated every Officer of every Corps, and infused itself into the Men under their Command, with an Effect so far exceeding the common Occurrences of human Affairs, that in the complete Space of One Month, this great and valuable Province, which had been unexpectedly and wholly lost, was in Substance wholly recovered to the British Empire.

" I have the Honour, &c.

Warren Hastings. (a)"

" Benares,
29th September 1781.

" Signed at the End,

Edward Wheler,
John Macpherson."

Read, Extract of Appendix to the Narrative of the Insurrection at Benares, beginning at Page 144 of the same.

" Num. 125.

" To Edward Wheler Esquire.

" Sir,

" My Continuance in this Quarter, and the Events which have happened, have given me an Opportunity of becoming acquainted with the Situation of the Troops beyond the Provinces; and I am concerned to say, that in their Equipment they are extremely defective, particularly in small Arms and Accoutrements; the last Supplies sent from Fort William to Chunar are entirely expended; the Indents from the Board upon the Magazine there having exceeded the whole Quantity originally supplied. Major Popham's Detachment is indeed amply furnished; but those under Colonels Cumming and Muir are very deficient. I have not been informed of the Condition of Colonel Morgan's Brigade, but am afraid it is not much superior to that of the others.

" I cannot ascertain the precise Quantity of Arms and Artillery which may be required, nor is it material; but the Necessity of having in Store at Chunar such a Supply as may be equal to the Demands of any probable Service on this Side of the Caramnassa is evident, and the immediate Want of them is pressing: I therefore earnestly intreat your immediate Orders for transporting such a Proportion of small Arms and Accoutrements, and of Field Artillery, 12 and 6 Pounders, as may be adapted to this Service, and can be spared from Fort William and the Provinces, by Water, before the Swelling of the River subsides.

" Banaris,
7th October 1781.

" I have the Honour to be, &c.

Warren Hastings (b)."

Read, also, the following Extract from the same Appendix, beginning at Page 145.

" Num. 127.

" To Edward Wheler Esquire.

" Sir,

" I beg Leave to introduce, through you, to the Notice of the Board, an Instance of Zeal and

(a) Vide Appendix, N° L.

(b) Vide supra, P. 225.

Attachment to our Government, which, from the peculiar Circumstances under which it was exhibited, merits both a Place in our Records, and a publick and warm Acknowledgment.

“ It will be remembered, that a principal Object of my Journey to these Provinces was to obtain and facilitate an Interview at Banaris with Dewaugur Pundit, the Minister of Rajah Moodajee Boosli, for the Purpose of effecting a final Adjustment of the political Concerns of our Government, and that of Berar. The Death of Dewaugur Pundit, the News of which reached me Two Days before my Arrival at Banaris, and which I regret with the most sensible Concern, disappointed all the Hopes which I had conceived of forming by his Means a solid and lasting Alliance with the Court of Berar.

“ I was attended in my Journey from Calcutta by Beneram Pundit, the Vakeel of Moodajee Boosli, with his Brother Bissumber Pundit. The Vakeel, during his long Residence with me in that Capacity, had given me constant Proofs of a sincere Disposition to promote the Interests of our Government, whilst he exerted himself to advance those of his Master.

“ When I retreated from Banaris, Beneram Pundit and his Brother, on the first Intelligence of my Departure, followed, and, unattended by a single Servant, joined me in the March, resisting all my Intreaties, and even Injunctions, to return to Banaris, where their whole Family resided, and where they might have remained in perfect Ease and Security.

“ On my Arrival at Chunar, I found myself in great and irremediable Distress for want of Money. The Troops were some Four, and others Five Months in Arrears, and as Cheit Sing had the Country on all Sides at his Devotion, I had not the smallest Prospect of obtaining Supplies, until the Motion of our Troops from different Quarters should open a Communication. It was with Difficulty that I found Means to raise so small a Sum as 2500 Rupees, to distribute among the Sepoys for their pressing Necessities. I must add, though foreign from my immediate Subject, that the Sepoys bore their Distresses without expressing the least Impatience under them.

“ Being accustomed, from my Experience of the Interest which Beneram Pundit had always taken in the Success of our Affairs, and as a Kind of Acknowledgment of it, to treat him with a greater Freedom of Communication than other Persons in his Situation, I occasionally mentioned to him, without any Expectation or Thought of obtaining any Relief from him, the Difficulties under which I laboured for Want of present Subsistence. He instantly, and with some Eagerness, replied, That his Family at Banaris were in Possession of a Lack of Rupees, collected in Specie, of which he made me the instant Offer, proposing that a Battalion of Sepoys should be sent to bring it away; his Brother at the same Time offering to accompany the Escort, and to deliver the Money. I thankfully accepted the Offer, and should have adopted the Mode they recommended for bringing away the Money, had I not been fearful of exposing their Family to the Vengeance of Cheit Sing; and as my Dewan had been left at Banaris, I hoped by his Means to procure the Treasure to be transported to Chunar, and I received their Orders for the Delivery of it to him. But in this Expedient I was disappointed, for the Dewan was so concealed, that my Letter could not reach him, and Gopaul Doss, the Banker, through whose Agency the intended Plan was to be effected, was about the same Time apprehended and carried a Prisoner to Lutteefpoor, where the Rajah resided; neither could I at that Time devise any other Contrivance to avail myself of the Assistance which had been thus generously pressed upon me. When I returned to Banaris, Beneram Pundit renewed the same Tender; and although my Distress for Money was not then equal in any Degree to that which had before prompted him to make it, I agreed to accept it, willing to furnish an incontrovertible Proof of his Sincerity in the First Offer, and strengthen the Testimony which I have herein given of his steady Attachment to our Government. The whole Sum, amounting to One Lack of Banaris Sicca Rupees, was received between the 30th of September and the 1st of October: I have granted to Beneram Pundit a Bond for the same, at the usual Rate of Interest, and in the usual Form, except that it has only my Signature to it. I hope and request that the Board will be pleased to confirm it.

“ Banaris,
13th October 1781.

I have the Honour to be, &c.

Warren Hastings (a).”

Read, also, the following Extract from the same Appendix, beginning at Page 20.

“ NUM. 2. A. .

“ Letter to the Governor General and Council, dated the 1st of November 1781, respecting the Establishment of Police and Courts of Judicature in the Town of Banaris.

“ To Edward Wheler and John Macpherson Esquires, Members of the Council of Fort William.

“ Gentlemen,

“ Having thought it necessary to establish Courts of Judicature for the Protection of the Persons and Property of the Inhabitants of the Town of Banaris, I now do myself the Honour to lay be-

fore you a Copy of the Plan on which these Courts are formed. I shall proceed to submit to you the Reasons which have given rise to this Plan, and flatter myself that they will induce you to honour it with your Concurrence and Approbation.

“ The Town of Banaris has long been deficient in all those Regulations which in populous Places are necessary for the Preservation of Peace and good Order, and the Protection of the Property and Persons of the Inhabitants. Whilst, however, the Sovereignty over it was retained by the Nabob of Oude, some Appearance of publick Justice was still preserved, and the Awe of a despotic Prince produced Restraints on the Minds and Actions of Individuals, which bore a Resemblance, however faint, to the Effects of more regular and perfect Institutions. But these Restraints ceased with the Cause which produced them. By the Treaty made with the Nabob Alif ud Dowlah, on the 21st of May 1775, the Sovereignty of Banaris was ceded to the Company, and soon after the Curwallah, or Superintendence of Police, was formally made over by us to the late Rajah. From this Period the Appearance of publick Justice was gradually effaced, until at last, without any System of Police, any Courts of Judicature, or any Awe of the sovereign Power, the Inhabitants of Banaris were guilty of Enormities and Crimes which reflected the greatest Disgrace on the Government to which they were subject. The Relations and Dependents of the Rajah, or the Merchants whose Credit was useful in the Payment of the Revenue, might violate the Rights of their Fellow Citizens with Impunity; and the sacred Character of a Bramin, or the high Rank of the Offender, were Considerations which stamped a Pardon on the most flagitious Crimes.

“ Such was the State in which I found the civil Government of the Town when I arrived at Banaris. All Ranks of People joined in their Representations of the Necessity of Reformation; and this appeared the more necessary from a Consideration of the Circumstances which are peculiar to Banaris. Its Temples are held in particular Veneration by the Professors of the Hindoo Religion, who flock to them on occasional Pilgrimages from the most remote Parts of Hindostan; and many who have acquired independent Fortunes, retire to close their Days in a Place so eminently esteemed for its Sanctity. It may therefore rather be considered as the Seat of the Hindoo Religion, than the Capital of a Province. But its Inhabitants are not composed of Hindoos only; the former Wealth which flowed into it from the Offerings of Pilgrims, as well as from the Transactions of Exchange, for which its central Situation is peculiarly adapted, has also attracted Numbers of Mahomedans, who still continue to reside in it with their Families. Amongst such a Mixture of Persons, mostly without Employment, of different Countries, and of different Sects and Religions, it is obvious that every Defect of Civil Government must be productive of more than ordinary Evils; and these Evils are propagated in all Quarters of India, to the Discredit of our Government, and to the Hindrance and Discouragement of those who, under more favourable Circumstances, might wish to repair with their Wealth to Banaris.

“ For these Reasons, after my Return from Chunar, when I began to settle the Affairs of this Province, the Reformation of the Civil Government of the Town of Banaris was one of the first Objects to which I thought it necessary to turn my Attention. The Plan which I have formed is now submitted to your Consideration. You will observe, that I have established Three distinct Departments for the Police, and the Civil and Criminal Jurisdiction; and I have put the Whole under the Regulation and Controul of One Chief Magistrate, who is to be subject to the immediate Orders of the Board. It was at first my Intention to have included also under his Authority the Collection of the Revenues and Customs of the Town; but I found that this would give great Discontent to the new Rajah, and might perhaps hurt his Influence in the Management of the Revenues of the rest of the Province; I have therefore left it out; at the same Time I am sensible that it is a Defect which may occasion some Inconveniencies, from the clashing of the Authorities of the Rajah and the Chief Magistrate.

“ The Person whom I have chosen to fill the important Station of the Chief Magistrate, is Allee Ibrahim Khan, a Man who has long been personally known to myself, and I believe to many Individuals of our Government, and whose Character for Moderation, Disinterestedness, and good Sense, will bear the Test of the strictest Enquiry. On his good Conduct must doubtless, in a great Measure, depend the Success of a Plan which is to take Effect at so remote a Distance from the Seat of our Government; and it is chiefly from the Reliance which I have in him personally, that I have ventured to delegate a Degree of Authority to him, which it would perhaps be unsafe to vest in a Person of a less established Character.

“ In forming the Establishment, I have calculated the Allowances of the Chief Magistrate and his Officers in Proportion to the Importance and Degree of Trust annexed to their several Employments; and I have fixed them at such Rates, as will set them above the Necessity, and I hope the Temptation, of having Recourse for a Subsistence to the Practices of Corruption.

“ I have the Honour to be,

“ Banaris, 1st November 1781.

Gentlemen,

Your most obedient Servant,
Warren Hastings (a).”

(a) Vide supra, P. 147.

Read,

Read, also, the following Extract from the same Appendix, beginning at Page 56.

“NUM. 4. D.

“ Copy of a Letter to the Governor General and Council, dated the 25th of November 1781, respecting the Appointment of Messrs. Anderson and Chapman.

“ To Edward Wheler, and John M^rPherson, Esqrs. Members of the Council of Fort William.

“ Gentlemen,

“ I have the Honour to transmit to you Copies of my Instructions severally delivered to Mr. Anderson and Mr. Chapman; the former deputed to Mahdajee Sindia, and the latter to Naugpoor. Both are so consonant to your Wishes, and to the Commands of our Honourable Superiors, that they will need no Comment or Explanation; unless it shall appear, that the Mission of Mr. Chapman is rather ostensible than real, little being given him in Charge, but to preserve the Friendship unimpaired between the Government to which he is deputed and ours. In effect, the Advantages proposed by it are rather contingent, than such as could be prescribed as determined Objects; an Attention was necessary to an ancient and approved Friend of our Government, on the Occasion of our availing ourselves of a different Influence. I have judged it necessary to provide for a new Channel of Correspondence with that Government itself, having lost that on which I had hitherto placed a confident and effectual Reliance, in the Dewan Dewaugur Pundit. But my principal Hope from this Deputation is, that it may prove the Means of quickening the Conclusion of the Peace with the Marattah State, by making it an Object of Competition to the Two most powerful Members of it. It is not the professed Object of Mr. Chapman's publick Credentials, and therefore not liable to any just Grounds of Jealousy in Mahdajee Sindia; but from my Experience of the general Tenor of the Policy of the late Dewan, which the Veneration paid to his Judgement, especially by the Rajah himself, will continue to make the Rule of the present Administration, or whatever may decidedly succeed to his, I have no Doubt that either the Rajah will endeavour to counteract our Endeavours to obtain a Peace, that we may ultimately have Recourse to him for effecting it; or that he will himself precipitate it, if he sees it likely to be accomplished by another, that he may have the sole Merit of it, and preserve his Consequence with both Parties, by having been the successful Mediator between us. You will observe, that I have sufficiently guarded Mr. Chapman's Instructions against the Possibility of their clashing with Mr. Anderson's.

“ I am certain that Mr. Chapman will think it no Degradation to act under the Controul of Mr. Anderson, for whose Abilities he entertains a very high and deserved Respect.

“ Mr. Anderson left Benares, to proceed on his Deputation, on the 5th of this Month, and Mr. Chapman on the 17th: The former accompanied by his Brother, Lieutenant Anderson, whom I appointed his Assistant, granting him the Allowance usually annexed to such Office; and by Tuffuzzul Hoossein Khan, a Native of the first Abilities in Indostan, who had been employed by me under Major Palmer, during his Deputation to the Ranah of Ghode, and had rendered material Services to our Government, and who I knew would be very useful to Mr. Anderson in his Negotiations, from the Character which he bears throughout the Country for his Integrity and Knowledge: His Salary I fixed at a Thousand Rupees per Month. Mr. Chapman is accompanied by Mr. John White, whom I have appointed his Assistant, with the same Allowance that is given to Lieutenant Anderson; and as the Service on which he is employed is merely temporary, I should hope that the Offices which he holds in Calcutta will not be considered as vacated by this Appointment. Mr. Anderson is authorized by me to draw the same Allowances that were given Colonel Upton, when appointed to the Court of Poona; and Mr. Chapman the same that are given to Mr. Anderson.

“ I request the Board will be pleased to communicate to Mr. Anderson any Orders which they have lately sent, or may hereafter send, to Brigadier General Goldard, that may be necessary for his Information, or any Instructions given to our Resident at the Court of Hydrabad, respecting the Nazim's Mediation of Peace between us and the Marattahs, that the whole Subject may be completely before him.

“ Colonel Muir having been unable yet to furnish me with the Particulars of the late Negotiation with Mahdajee Sindia, by reason, as his last Letters mention, of the dangerous and continued Sickneis of Captain Ford, to whom he had committed the Execution of that Business; and having transmitted to me the Persian Copy of the Treaty, I have the Honour to forward the same for your present Information.

“ Chunar,
25th of November 1781.

“ I have the Honour to be, &c. &c.
Warren Hastings (a).”

The Managers for the Commons stated, they would next read another Letter to prove that the Defendant was constantly in the Habit of writing to the Council.

(a) Vide supra, P. 178.

Read, a Letter to the Governor General and Council at Calcutta, signed Warren Hastings, and dated Benares, 22d October 1781, from a Consultation of 5th November 1781, in Book 36, already delivered in, beginning at Page 722 of the said Book.

" Fort William, 5th November 1781.

" At a Council; Present,
Edward Wheler, and } Esquires.
John Macpherson, }

Secret Dept.
Monday.

The Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote absent on Service at Fort St. George.

" Read, the following Letter and Inclosures from the Governor General.

" To Edward Wheler Esquire,
" &c. &c. &c. Council, Fort William.

" Gentlemen,

" I have received from the Secretary at the Presidency the following Papers, transmitted to me by the Directions of Mr. Wheler, and have Pleasure in making my Acknowledgements to Mr. Wheler for a Communication of them to me.

" Copy of a Letter from the Admiralty to the Board, dated 3d July.

" Ditto of the Board's Reply to ditto, dated 24th September.

" Ditto of a Letter from Lieutenant General Sir Eyre Coote to the Select Committee at Fort St. George, dated 6th July.

" Copy of a Letter from the President and Council at Fort St. George to the Governor General and Council, dated 29th July.

" Ditto of a Letter from the President and Select Committee at Fort St. George to ditto, dated 30th July.

" Ditto of a Letter from Sir Eyre Coote to the Board, dated 30th July.

" Ditto of a Letter written by the Board to Mr. Turing on the 24th September.

" Ditto of a Letter from the President and Select Committee at Bombay, dated 3d July, with Two Inclosures.

" Ditto of a Letter from Brigadier General Goddard, dated 5th July, with Three Inclosures.

" Copies of Letters from the Board to the President and Select Committee at Bombay, and to Brigadier General Goddard, dated 24th September.

" I have great Pleasure in adding to the Proceedings of the Board during my Absence from it, whatever Strength may be afforded them by my general, and, I believe I may say, literal Approbation of their Orders upon the several Subjects of this Correspondence; and in offering the Remarks which I desire their Permission to make on them, I am chiefly influenced by the Motive of giving them further Weight, by the Addition of such Reasons in support of them as have come to my separate Knowledge since I left Calcutta, and could not have been before the Board, when the Letters to which they reply were under their Consideration.

" I entirely approve of the Measure proposed to the Admiral, in the Board's Letter of the 24th Ultimo, for preserving a free and open Communication between Bengal and the Ports on the Coast, during the next Northern Monsoon. I have the same Conviction of its Necessity, which the Board have, for the Reasons they have expressed, and deem it the most useful Service to the Company on which the Fleet, or a Part of it, can be employed. If any Objection should prevail with the Admiral against stationing it in the Road of Balasore, Persons conversant in the Navigation of these Seas (and of such there are many Gentlemen at the Presidency willing, and at all Times ready, to afford us the Aid of their Opinions upon these Subjects when desired), could easily point out some Place contiguous to it, where Ships might lie with more Convenience, and their Services be as effectual as in the Road of Balasore. I remember to have heard that at Coringa there is a good Road for Ships to lie in. The Situation is certainly convenient; but whether it will admit Ships of such Depth in the Water as his Majesty's large Ships of War, is a Question which I am not sufficiently Master of the Subject to determine.

" I have read with Satisfaction Sir Eyre Coote's Letter to the Board, of the 30th July, even those Parts of it which contain an implied Censure of our Measures. The Language of it differs widely from the Terms of that of which we had so much Reason to complain of in his Letter of the 1st March. It is liberal, and such as becomes a Man of Character and Station. I am now fixed in an Opinion which I have before entertained, if not expressed to the Board, that the Ground of his unpleasant Differences with us, as apparent in the Course of his Correspondence from the Time of his Arrival upon the Coast, is the Formation of the Military Regulations which we passed in the Beginning of this Year, and which he seems to think were framed from Motives of personal Hostility to him, and without a sufficient Reason, purposely to overset those we had passed at his Recommendation in August 1779. Although I cannot suppose such an Idea to exist with the Honourable the Court of Directors, or that they can attribute such Motives to

to our Actions, since it does not appear in what Way they can affect either his Reputation or Interest, if regarded in a vindictive Light, and are too interesting to our own Credit in the Consequence, to have been undertaken without a strong Conviction of their Necessity: Yet, as the Reasons for the Measure may not have been completely before them, or may be lightly remembered when these Strictures upon them are read, I must beg the Board's Permission to repeat in this Place, what I have before declared on our Records, and what is sufficiently apparent to any one who will give an impartial Consideration to the Subject; that these Regulations were framed to answer an immediate Exigency of the publick Service, and were resolved upon in a State of Affairs, very different from that which existed when I gave my Consent to passing those which were recommended, in 1779, by Sir Eyre Coote. The Board will recollect, that when we resolved to detach the Forces under Colonel Pearse to the Coast of Coromandel, the Measure was founded on a particular Request, made to us by the General himself, before he took his Départure from Bengal; and that, at the same Time that we well knew how serviceable such a Reinforcement would be to his Operations on the Coast, the Dangers with which our own Provinces were threatened by the Neighbourhood of the Berar Army to their Borders; the Effects which the Fear of Invasion might naturally be supposed to have upon the Minds of the timid People of Bengal; and, above all, the Consequences that might be expected to arise from the Intrigues of Hyder's Agents with the Country Powers, considerably assisted by his great Success in the Carnatic; so large a Force could ill be spared from the Protection of the Company's Possessions in this Part of India. It was at the same Time, I believe, within the

* Sic in Orig. private Knowledge of the Members of * Board, that even our reduced Force was not actually such as it appeared on the Returns; I mean to say, that, had we required instant Service for the Numbers which stood on the Returns, we should have been greatly disappointed—such was the Practice of the Service, founded upon a very reproachful Custom; and all our Efforts, in the Trial of various and repeated Expedients to suppress it, had hitherto proved ineffectual. In such a Situation, it became not only absolutely necessary, that new Levies should be raised to supply the Loss which we should suffer from the March of Colonel Pearse's Detachment to the Coast but that the nominal Strength of our Forces should also be its real one. Regulations were accordingly proposed by Brigadier General Stibbert, and resolved on by us, to effect so desirable an End: An Increase of Numbers adequate to the Loss of Colonel Pearse's Detachment was to take Place, and the Subaltern Officers of the several Companies of the Battalions, were separately intrusted with the Pay and Muster of their Corps, and, by the Duties prescribed to them, were made, as far as the Good of the Services would allow, without intruding upon the Authority necessarily vested in the Commanding Officers, a Check upon their Captains. More was yet thought politick and expedient: At the same Time that we resolved upon Measures for maintaining a large Force fit for Duty whenever called on, and upon which we could always depend, we determined to increase the Number of our Battalions to a Thousand Men; this Body was called a Regiment, and the Regiment divided into two Battalions of 500 Men in each. This Diminution of Strength in each Battalion, as it stood on the former Establishment, if known, would appear of little Moment in the Eyes of the Country Powers, and an Augmentation of the Numbers of our Battalions would impress them with the Awe of an increased Army. Having admitted no private Advantage whatever, and something more than the common Pay of the Rank of Captain being thought due to the Officers commanding so large a Corps as a Regiment of 1000 Men, we resolved on a general Promotion, giving the Commands of the Regiments to Majors, and by affording them the Pay of that Rank, and some other Advantages, placing them above the Necessity or Desire of taking Profits which we wished to annul. I will add for myself, that I was influenced in giving my Concurrence in this Measure (and I believe Mr. Wheeler was so likewise) by a Desire of shewing some Distinction to a Number of deserving Men, whose Exertions for the Publick Service might soon become peculiarly necessary, and who would naturally feel a greater Zeal to do Credit to their Profession, when they found themselves placed in higher and more responsible Situations, than if they continued undistinguished in lower ones. This Alteration in our Establishment, separately considered, would of course be attended with some Increase of Charge; but it makes a Part only of a general Regulation, which provides a large Augmentation of Force, yet makes the Expence of the whole Army less than it was upon its former Footing. In asserting this, I am warranted by the Estimates delivered in to us by General Stibbert, on the 26th December last, when the new Regulations were under Consideration.

" The new Regulations being in Force before Colonel Pearse's Detachment went away, it, with the rest of our Army, was modelled by them; it partook, with it, of the same general Benefit, as to nominal Strength, and indeed received some Increase of its former Numbers; for, to make the Arrangement good, we added some Companies, and sent to the General's Assistance a Detachment of Five Regiments of 1000 Men, instead of Six Battalions of 800. If the Officers on the Madras Establishment have been Sufferers by an Arrangement which the publick Service of this Country has made necessary, I will not censure them for complaining; but I must attribute the Cause to the Measure of breaking our Detachment, and dividing it among the Sepoy Corps of the Madras Establishment, which, however necessary in the Judgement of the Commander in Chief, I recollect to be contrary to the Instructions of this Government, communicated to him when the Detachment moved from our Provinces.

" I observe that Sir Eyre Coote remarks on the Staff allowed to a Major of Colonel Pearse's Detachment, and thenceforth thinks it fit to reflect on the unnecessary Expence which we have permitted

permitted to be incurred in the Charge of that Corps. The only Major of Colonel Pearse's Detachment that had a Staff was Major Edmondson, expressly appointed Second in command of it: It has been always usual, I believe, for the Second in Command of so large a Force to have the Staff which was allowed to Major Edmondson; but it was not intended, nor was it necessary, that it should be continued to him longer than he held that Station, and therefore when he no more was Second in Command, as would be the Case when a Junction was effected between the Detachment and the Main Army, he of course would lose the Rights and Properties of the Office.

"I beg Leave to assure the Board of my entire Concurrence in their Reply of the 24th September to General Goddard's Letter of the 5th of July, and in that written by the Select Committee of the same Date. I have the Honour to transmit to them two Letters from General Goddard, bearing Date the 11th June and 6th August, which I received at Chunargur, and have not been till lately able to transmit to them, on Account of the great Insecurity of the Conveyance: To these I have yet made no Reply, and none is now necessary from me, since the Sentiments of the Board, entirely conformable to my own, have already been expressed to him upon the most material Points of them; and, as to the Rest, the Board are much better able to judge, than I can be at this Distance from the Presidency, how far the Plan proposed by General Goddard, in his Letter of the 11th of June, or that subsequently proposed by the President and Select Committee of Bombay, of which no Intimation has yet been sent me, for supplying the Troops on the Malabar Coast with Provisions, can be complied with, without affecting the more essential Claims of the Army under Sir Eyre Coote, and the Settlement at Fort St. George.

"I have been sorry to observe, on a Perusal of General Goddard's Letter to the Board of 6th August, that the General had mistaken the Sense and Meaning of our Orders of the 11th of June, respecting a Peace with the Maratta State; I judge so from my present Recollection of them, for I have not a Copy with me.—In a Minute, which the General has delivered at a Meeting of the Select Committee, and extracted in his Letter to us, he asserts, that one of the Events, in which the Powers which we had granted him were to be exercised, was the Deputation of Dewagur Pundit Moodajee Dewan to Poona, for the Purpose of mediating between this Government and the Marattas; whereas I believe that our Instructions to the General, not only provided for the Deputation of Dewagur Pundit to Poona, but of any one else who might be appointed to go there by the Court of Nagpoor.

"I have already expressed my Approbation of the Orders sent to Bombay, and to Brigadier General Goddard, on the 24th September, against a Plan of offensive Operations, and an Augmentation of the Military Establishment on that Coast. The Reasoning in favour of an Increase of their Army, is doubtless overset, by their own Confession of Inability to maintain what they have already, and we are unable to supply them. I have not yet seen the Plan of offensive Operations recommended, but I am generally against it, not being able to discover to what useful Object it can tend, be it what it may. This Government has no Object but a Peace; we have acquired all that we sought for when we were forced into the War, and we have offered a large Part of that Whole to effect a Peace. But I am influenced by still further Reasons for opposing of the Orders sent to Brigadier General Goddard; and these I shall now recite; first making an Apology to the Board for not having before given them publick Information of the Facts on which they were grounded. I alluded to them distantly in an official Letter which I wrote Mr. Wheler from Chunar; but from a Fear of its being intercepted, it was expressed with so much Caution, that I fear may not exactly have been understood. In a private Letter, which I have since written to Mr. Wheler, I have been more explicit; and shall be obliged to him if he will be pleased to lay before the Board, and record upon their Proceedings, such Part of it as relates to the Subject.

"I was made to understand by a Letter which I received from Colonel Muir, and by distant Advances made to me after my First Arrival at this Place, that Madajee Scindia was very desirous of a Peace. His Wishes coinciding with those of our Government, I sent Orders to Colonel Muir to negotiate, and full Powers to conclude a separate Peace with him, accompanied by Instructions for the Colonel's Guidance in fixing the Conditions of it. As these appear to be the Orders on which a Treaty has since been prepared, I transmit a Copy of them enclosed for the Information of the Board, together with a Copy of my Credentials to Colonel Muir: They were both drawn up to go in the smallest Compass possible, on Account of the Danger to the Passage of our Letters at that Period. Soon after I had dispatched these Orders, and before they could reach Colonel Muir, I received from him a Communication of his Correspondence with Scindia, with respect to the Conditions of a Peace, and was happy to find by it, that the Conditions to which Scindia would agree, were, except in very trivial Instances, the same which I had empowered Colonel Muir to yield.

"I have the Honour to transmit enclosed to the Board a Translation of the Proposal made to Colonel Muir by Scindia's Dewan, on the Part of his Master, a Copy of my Replies, and a Letter which I wrote to Colonel Muir on the 11th Ultimo.

"A Truce had been respectively agreed on between the Two Commanders, and my Instructions to Colonel Muir fortunately reached him before the limited Period of it was expired. I have been for some Time in hourly Expectation of hearing that the Treaty was concluded, having had the Satisfaction

ledge and Reputation, would entitle him to our Preference in the Command of any Forces employed in the Western Coast: Indeed I fear that our Influence will suffer by his Removal.

" The Exigencies of the Service, when the Reinforcement shall arrive, will best dictate to the Presidency of Bombay in what Manner it should be employed.—In the desired Event of a Conclusion of the War with the Maratta State, and, if the Troops could be spared from the Purposes of Defence, I should think it will be the Opinion of the Commander in Chief, that it might be usefully employed with General Goddard's Detachment in an Invasion of the Territories of Hyder Ally Cawn.

" Benares,
the 11th December 1781.

" I have the Honour, &c.
(Signed) " Warren Hastings."

" Gentlemen,

" I have received your Letter of the 22d Ultimo, accompanied by the Copy of a Letter to the Board from the Commander in Chief, on the Distribution to be made of the Forces in Consequence of the Peace with Mahdagee Sindia, and the Termination of the Troubles in this Zemindary.

" I agree entirely with General Stibbert in his Opinion of the Expediency of an Addition in Artillery to the Garrison of Fort William, and of Native Infantry for the Benefit and Security of the Provinces; and as there is not any Appearance at present of Hostilities in the Duab, or any Part of the Nabob's Dominions, I have limited the Number of Troops for the immediate Protection and Security of his Country, to the Strength stipulated in the Subsidiary Treaty with the late Vizier, and my late Agreement with the present, allowing Four Regiments of Native Infantry to be equivalent to Six Battalions of the old Establishment. An additional Regiment of Sepoys, attached to the Station of Cawnpore, is allowed for the Service of Lucknow, according to my late Agreement with the Nabob.

" I have ordered Five Regiments of Sepoys to be stationed at Chunargur for the Service of the Garrison, and for securing Peace and Order until you shall either confirm that Arrangement, or make such Alterations in it as you shall think proper in this Zemindary, upon which the Collection of the Revenue essentially depends.

" I would propose, that Four Regiments of Sepoys, and a Proportion of Goolundaaz for the Artillery, should be the established Force for this Service; but as the Districts of Jaunpore and Gauze-poor are exposed to the Depredations of lawless Zemindars in their Neighbourhood, who infest and plunder them whenever the Troops are withdrawn, it will be necessary to station Detachments in them, until those Zemindars are seized or disabled from giving any further Molestation.

" The Remainder of the Troops of every Denomination beyond the Provinces, I have ordered immediately to Dinapoor, under the Command of Sir John Cumming, to whom I request the Board will send their Orders for the final Distribution of the Corps which he conducts into the Provinces.

" As the Station of Dinapoor is of great Importance to the Security and Prosperity of one of our own principal Provinces, commodious for supplying Reinforcements to either the Upper or Lower Stations of the Army, and affords plentiful and cheap Supplies of Grain and other Provisions to the Troops, with Returns beneficial to the publick Revenue, I beg Leave to offer to the Board's Consideration, and the Commander in Chief, the Propriety of cantoning there Five Regiments of Sepoys, the Cavalry, and a Proportion of Artillery.

" The General has recommended that One Regiment of Cavalry should be stationed there: I think it will be attended with considerable Benefit to the Service, and to the Country, to keep the whole Corps within the Provinces. It has been stationed at too remote a Distance for that Inspection which is necessary to the Economy of new and untried Establishments.

" I am entirely of Opinion with the Commander in Chief, that the Deficiencies of our European Corps is Matter of very serious Consideration, particularly that of the Artillery, upon which Branch of the Military Service our Operations most materially depend for Success. The Scantiness and Uncertainty of Recruits from Europe affords but little Prospect of completing the European Corps to their present Establishment. In a Time of general Hostility it would be inexcusable to trust to Chance for our Supplies, when a certain Expedient can be found. All the Officers with whom I have conversed have given Testimony in favour of the Practicability and Advantages of training the Natives to the Artillery Service, and that the Experiment which was made, in raising the late Corps of Goolundaaz succeeded beyond Expectation. I am happy to find this Testimony confirmed and strengthened by the Opinion and Recommendation of General Stibbert.

" I have heard but one Objection made to such a Corps, viz. the Danger of its becoming useful to an Enemy, by the great Encouragement which would be given to the Goolundaaz to desert our Service, when perfect in their Discipline. This Objection is equally applicable to the other native Corps; but Experience, the best Test, has not given any Sanction to it. One European Officer, well instructed in the Theory and Practice of that Service, would afford more Improvements to our Enemies, in that Branch of Military Knowledge, than Ten Battalions of Goolundaaz trained in our Service.

" I do

"I do not mean to answer or disapprove the Regulations established by Sir Eyre Coote, but as they cannot be effected, and as our Situation absolutely requires that the Defects in our Military Service should be supplied in the best Manner in our Power, I hope the Board will take into their immediate Consideration the Re-establishment of the Goolundaaz Corps upon the late Plan, or such other as General Stibbert shall advise.

"My Situation in the late Commotions here has given me an Opportunity of observing further Defects in the present Regulations of our Army. The taking from the Sepoys Corps the Artillery formerly attached to them, is attended with Delays on every Occasion of sudden Service, productive of Disappointment, and hazarding Danger and Disgrace. The native Infantry have a Confidence in, and an Attachment to, their Artillery, which have the best Effects on their Conduct in Action. The Country, covered with Forts of various Extent and Strength, renders the Use of Ordnance of some Kind almost indispensable in every Expedition; and it is well known how desperate a Resistance is generally made by the Garrisons of the Country Forts, when assaulted only with small Arms.

"The Regiment commanded by Major Roberts could not have joined me with the seasonable Supply of Money from Lucknow, if he had not obtained Two Pieces of Artillery from the Nabob's Arsenal, and Major Crawford's Regiment from Dinapoor effected his Junction with great Difficulty; and after great Delay for the Want of proper Ordnance, although he was furnished with Two small Field Pieces from Buxar, without them his Junction would scarcely have been practicable.

"Another Circumstance I have observed, which, although apparently of little Moment, is not unattended with substantial Consequences. This is the Effect which has been produced upon the Minds of our Sepoys, by taking the Colours from every Company, and allowing only Two to a Regiment. This is regarded by the Sepoys as an unmerited Degradation, who made the Preservation of them a Point of Honour. Even Prejudices should be indulged where they are innocent; but the Attachment of the Sepoys to their Colours appears to be convertible to very beneficial Military Purposes. The same Observation may be applied to the Guns, and with a Force proportioned to their superior Utility. I will trespass for a Moment on the Patience of the Board, to relate an Incident which strongly impressed me with an Opinion of the Propriety of making the Artillery as inseparable from the Sepoys Corps as their small Arms. In the Year 1777, when the Stations of the Army were to be relieved, I proposed that all the Artillery should remain unmoved, and left to be attached to the succeeding Corps at the respective Stations. Colonel Hugh Grant, who then commanded the Second Brigade, represented to me that the Sepoys had so strong an Attachment to their Cannon, and to those particular Pieces which had been posted to their Battalions, that it would be a Cause of much Discontent even to exchange it; and he assured me that it was the Practice of the Sepoys, on their Days of religious Festivals, to decorate the Guns with Wreaths of Flowers, and pay a Kind of Adoration to them.

"By late Intelligence which I have received through various Channels, the Conduct of Mahadjee Scindia does not appear strictly compatible with the Spirit of his Engagements in the late Treaty with us. I have therefore directed Colonel Morgan to suspend the Orders for the March of the Troops into the Provinces, until he shall receive Assurances from Mr. Anderson of Scindia's faithful Adherence to the Conditions of the Treaty, and of the Peace made with him being firmly established.

"Benares,
13th December 1781.

"I have the Honour, &c.

Warren Hastings."

"Gentlemen,

"I have the Honour to lay before you Copies of Letters which I have lately received from Mr. Anderson and Colonel Muir, and of my Instructions to Mr. Anderson, written in Reply to his Two Letters; also Copies of Letters written to and received from Madajee Scindia, which will acquaint you with the present State of the Negotiation depending between the Company and that Chief.

"Benares,
13th December 1781.

"I have the Honour, &c.

Warren Hastings."

The Managers for the Commons acquainted the House, They would next produce a Letter from Mr. Hastings to the Board at Calcutta, dated the 25th of December 1781, in which, for the First Time, the Defendant mentioned the Rebellion and Treason of the Begums, on Account of which he had withdrawn the Company's Guarantee, upon the 19th of September preceding.

Read, also, from Book 83 already delivered in, the following Extract of a Consultation of the 14th January 1782, beginning at Page 179 of the same Book.

" Fort William, the 14th January 1782.

" A Council ; Present,
Edward Wheler, and } Esquires.
John Macpherson, }

The Governor General absent on a Visit to the Northern Provinces.
Lieutenant General Sir Eyre Coote absent on Service at Fort Saint George.

" Received the following Letters from the Governor General.

" Gentlemen,

" I have the Honour to transmit to you Copies of a Letter from Mr. Middleton, of my Answer thereto, and of my Instructions to Colonel Morgan in Consequence.

" An early and proper Exertion of our Military Force will effectually support the Authority of the Vizier, and in all Probability prevent any dangerous Combination amongst the Jagherdars, which their Wealth and numerous Dependants might otherwise enable them to form for resisting the Resumption of their Jagheers.

" In exceeding the Number of Troops expressly demanded on this Occasion by the Vizier, I have consulted only his Security and Advantage; and I am convinced, from my own Information of the State of his Country, as well as from Mr. Middleton's Representation, that it is but anticipating a further Requisition, which if deferred until the refractory and disaffected Persons shall become formidable, will be attended with great Hazard and proportionate Expence to the Vizier.

" The Nabob having experienced from me so ready an Attention to relieve him from the constant Expence of the temporary Brigade, cannot think it unreasonable that the Subsidy for the occasional Force now to be employed for his internal Security, should be liberal and adapted to the Circumstances under which we furnish it, as well as including its actual Disbursements. It is on this Principle that I shall estimate it, after having ascertained as precisely as possible the fixed and contingent Expences.

" Upon these Grounds, I hope that I shall meet with the Approbation of the Board in the Steps which I have taken.

" The Detachment under Major Popham being sickly, and the Services for which it is formed completely executed, I have ordered it to be dissolved, and the Troops composing it to be put under the Command of Colonel Blair, for the Protection of this Country, until the final Arrangement for this Duty shall be settled by the Board.

" Benares,
25th December 1781.

" I have the Honour to be, &c.
(Signed) Warren Hastings."

" Sir,

Enclosed in
the Gov. Gen.
Letter of the
25th Decem-
ber.

" The Nabob Vizier having appointed an Aumil to take Charge of the Begum's Jagheers, she had, it appears, prepared a large Body of Troops, with a supposed Design to resist him. A violent and threatening Letter, which I have just received from the Begum, would seem to leave no Doubt of her Intentions to support the already declared Licentiousness of her Servants in opposing the Nabob's Orders; I have therefore been obliged to join my Solicitations to the Vizier's for obtaining a Regiment from Colonel Morgan, to support the Aumil in the Execution of his Excellency's Commands; and I may add, that unless my Judgment far misleads me, we shall be in Want of still further Aid, before the Measure of resuming the Jagheers shall be fully established, and the Country restored to that State of Tranquillity and Subordination which it enjoyed before the Contagion spread by Cheyt Sing's Machinations.

" I enclose Copy of my Letter to Colonel Morgan, and have the Honour to be, &c.

" Lucknow, (Signed) Nathaniel Middleton,
19th December 1781. Resident at the Court of the Vizier (a)."

" A true Copy, signed E. Hay, Sub Secretary to the Honourable Board."

Read, Extract of Appendix to the Narrative of the Insurrection at Benaris, beginning at Page 1 of the same.

" NUM. 1. A.

" Letter to the Governor General and Council, dated the 29th of November 1781, respecting the Governor General's Agreement with the Vizier.

" To Edward Wheler and John Macpherson, Esquires, Members of the Council of Fort William.

" Gentlemen,

" I must have Recourse to your Indulgence, on the Occasion of every Report of Importance, for the Delay in transmitting it. Many are the Causes of these Delays, which I need not enumerate, as I am myself the principal Sufferer by them. Indeed, I am almost tempted to say, that I find a Sufficiency for the Occupation of each Day in the Evil thereof, and in a Thousand little

(a) Vide Appendix, N° LIII.

Occurrences, less known in a regular Process of Business, which exact their Share of Attention, and pass without any substantial Effect. It was for this principal Reason, that I have again shifted my Residence from Benaris to this Place, where I shall hope for more Leisure to bring up a long Arrears of Business, than it would have been possible for me to have cleared had I continued there.

" I have now to inform you of my Transactions with the Nabob Vizeer, during his short Stay at Chunar (a).

(Signed at the End)

" Warren Hastings."

Then the Managers for the Commons acquainted the House, they would next read a short Letter from the Defendant to the Board at Calcutta, dated the 31st December 1781, when the Defendant was supposed to have sent the Banares Narrative, and which included, for the First Time, the Letter of the 29th November, last produced.

Read, a Letter to the Council at Fort William, signed Warren Hastings, dated Banares, the 31st December 1781, and prefixed to the Narrative of the Insurrection at Banares.

" To Edward Wheler and John McPherson Esquires, Members of the Council of Fort William.

" Gentlemen,

" I have now the Honour to send you the Narrative, which I promised in my Letter of the 18th October, of the Transactions and Events which passed during the Course of the late Insurrection of this Province. I had begun it at the Time of the Date which is prefixed to it; but the busy Scenes which followed, both while I was at Chunar, and after my Return to Banaris, hindered me from prosecuting it till a few Days before the Date which I have subjoined to it. I did not chuse to alter the Introduction, although written at such a Distance of Time from that in which the Body of the Work was executed, and even from the Existence of the Events which are recorded in the latter, because I found it not easy to give it a new Form, without a total Omission of what had been already produced, while my Mind was animated by the recent and actual Scenes in which it was engaged, to an anxious and most feeling Solicitude, not more for the Issue of the impending Contest, than for its Consequences on my own Reputation. In the Consciousness of the Rectitude of my Intentions, I had allowed myself to use an Appeal, the most solemn and most sacred that could bind my Relation to Truth, or impress the Conviction of it on the Hearts of others; nor could I, consistently with my own Sense of its Obligation, withdraw it, or coldly place it after the Narrative already written, and written under the Check which I had imposed upon it. I know not whether I shall be clearly understood: If I am not, yet let this Endeavour to explain a seeming Impropriety in the Construction of this Performance be accepted for its Apology.

" I have only to add my Hope, that as I have received the most cordial Support in the past Events from you, my respectable and most respected Associates in the Administration, and as it has been my unvaried Study to prevent your suffering any Embarrassment from them, my Conduct in them may also receive its First Reward in the Testimony of your Approbation.

" I have the Honour to be,

Gentlemen,

Your most obedient, and most faithful Servant,

" Warren Hastings (b)."

" Banaris,
31st December 1781.

The Managers for the Commons acquainted the House, they should next proceed to shew the Progress of the Proceedings against the Begums, the Origin of the Plot, the Manner in which it was conducted, and the Manner in which it was executed before the Council had any regular Information upon that Subject; for this Purpose they desired Mr. Middleton might be called in again.

NATHANIEL MIDDLETON Esquire was called in, and examined as follows:

Q. Whether you was present at the signing of the Treaty of Chunar?

A. I was.

Q. Who were present besides yourself at the signing of that Treaty?

A. Mr. Johnson and the Nabob's Minister.

Q. Which of them?

A. I think both Husein Reza Cawn and Hyder Beg Cawn.

Q. And the Nabob of course?

A. He put his Seal to it, and was present.

(a) Vide supra, P. 138.

(b) Vide supra, P. 109.

Q. Was you employed in negotiating that Treaty ?

A. Not particularly ; I believe I had some Conversation with the Nabob upon the Subject, and with his Minister. Mr. Hastings was in daily Communications with the Nabob, and of course negotiated all the Conditions of the Treaty himself.

Q. Am I to understand then that there was no separate Negotiation respecting that Treaty, or any Part of it, carried on between you and the Nabob ?

A. I had several Conversations with the Nabob upon the Articles of the Treaty at different Times.

Q. The Question put to you was, Whether you had any separate Communication with the Nabob ?

A. I have said, I had.

Q. What do you mean by a separate Communication with the Nabob ?

A. Conversations with the Nabob, to which Mr. Hastings was not privy.

Q. Whether this Treaty, or those Treaties rather, as distinguished by Mr. Hastings, the one containing the Contract on the Part of the Company, the other the Contract on the Part of the Nabob, were One Deed, or Two separate Instruments ?

A. They were separate Papers.

Q. When you speak of Conversations to which Mr. Hastings was not privy, do you mean that the Conversations you had with the Nabob were never communicated to Mr. Hastings ?

A. I believe, not at the Time.

Q. Nor held by his Directions ?

A. No.

Q. Where were those Conversations, so separate as you have described them, held ?

A. In different Places : The Nabob was encamped on the Side of the River, opposite Chunar.

Q. Were they all during the Time of his being in the Province of Benares ?

A. Yes.

Q. At different Periods during that Time ?

A. Yes, they were at different Periods during that Time, but all within the Compass of Time the Nabob was in the Province of Benares. The Nabob attended Mr. Hastings occasionally at Chunar, across the River, from his Tents ; I constantly attended him in his Visits to Mr. Hastings, from the other Side of the River, where I also resided at the Time ; and had frequent Communications with him there at his Tent, as well as at Chunar.

Q. Whether the Nabob expressed any Degree of Reluctance, and what, at executing his Part of the Treaty ?

A. He did express Reluctance ; he made Objections to signing his Part of the Treaty.

Q. Did you endeavour to remove those Objections by any, and what Arguments ?

A. I did endeavour to remove those Objections by such Arguments as occurred to me, the principal of which was, to endeavour to assure his Excellency, that the Treaty was meant chiefly for his Benefit, and that the main Object of it was only to secure his Debt to the East India Company : That accomplished, I did not apprehend the Treaty was meant to be rigidly carried into Execution.

Q. What was the Nature of his Objections ?

A. He thought he had made too great Concessions to Mr. Hastings.

Q. In what Particulars ?

A. In giving him too great an Authority in his Country.

Q. Was it upon the Faith of this Assurance only, that the Nabob was induced to sign this Treaty ?

A. I have Reason to believe, that the Nabob was principally influenced to give up his Objections, in Consequence of the Arguments I held with him.

Q. Where was this particular Conversation, in which you gave him these Assurances, held with the Nabob ?

A. It was not in one Conversation, but in many that I had with him upon the Subject of the Treaty.

Q. Whether those Conversations were held with the Nabob, in his Tent on the other Side of the River, or in the Presence of Mr. Hastings ?

A. They were not held in Presence of Mr. Hastings : I recollect to have had a pretty long Conversation with the Nabob, upon the Subject of the Treaty, the very Day he executed it ; to the best of my Recollection, it was held in Mr. Hastings's Room at Chunar ; Mr. Hastings was present, but it was not in his Hearing.

Q. Was

Q. Was Mr. Hastings present?

A. Mr. Hastings was in the Room; there was other Company with him.

Q. What leads you to ascertain, that a Conversation held in his Room, and while he was present, was not in his Hearing?

A. I recollect very well retiring to a distant Part of the Room, with the Nabob and his Minister, where this Conversation was held; Mr. Hastings having other Company with him at the Time in the Room.

Q. Do you recollect who the other Company were?

A. I do not particularly; they were Natives.

Q. Was the Treaty signed upon that Day when that Conversation was held?

A. It was signed upon that Day.

Q. How near to the Time of signing the Treaty did this Conversation in fact pass?

A. I cannot exactly charge my Memory; perhaps an Hour or so, I don't imagine it could be more.

Q. Were the same Persons present at signing the Treaty, who were present at this Conversation?

A. They were; Mr. Johnson, and the Nabob's two Ministers.

Q. Was the Treaty signed in the same Room where the Conversation was held?

A. It was.

Q. Were those other Persons you spoke of, the Natives about Mr. Hastings, present at the Time the Treaty was signed?

A. I do not recollect; most probably some of them were.

Q. Was it at this Meeting, do you think, that the Nabob made the Offer of a Present of £100,000 to Mr. Hastings?

A. I have nothing to guide me in giving an Opinion upon that Subject; I really do not know.

Q. Was you present when that Offer was made?

A. No, I was not.

Q. Might not the Nabob, in another Corner of the Room, have made Mr. Hastings this Present of £100,000, while you and the Ministers were negotiating this principal Article of the Treaty? Was it impossible for him to have made that Offer to Mr. Hastings, at that Time, without your observing it?

A. I apprehend it is possible, but not very probable; as, to the best of my Recollection, the Ministers were engaged during the whole Time I was in Conversation with the Nabob: they were Parties to the Conversation.

Q. Are you positive that you have no Recollection of the Persons who were engaging Mr. Hastings' Attention at the Time: Can you name the Persons who were in the Room besides the Nabob and the Two Ministers that you have spoke of, yourself, Mr. Johnson, and Mr. Hastings?

A. I cannot recollect their Names: one Person present, I think, was Beneram Pundit, the Vackeel of the Berar Rajah.

Q. But you recollect no other Person's Name?

A. I do not.

Q. Can you recollect the Number of Persons who were present?

A. I cannot: there were several, probably several of the Nabob's own Attendants; those that came into the Room with the Nabob himself.

Q. What was your Motive for with-holding from Mr. Hastings' Knowledge that which was the principal Inducement to the Nabob to sign the Treaty?

A. I had no particular Motive; I conceived I was doing a Service to both Parties, in removing Objections to the signing of the Treaty; and I certainly did think (whether I was wrong or not, your Lordships will judge) that the main, the principal, and indeed the only Object of that Treaty, was to secure the Payment of the Company's Debt from the Nabob.

Q. Do you recollect whether it was, or was not, one of your Arguments to the Nabob to persuade him to enter into the Treaty, that it was necessary Mr. Hastings should have something to shew on his Side for the Concessions he had made in favour of the Nabob?

A. I believe that was one of the Arguments I used.

Q. Upon what Ground did you think Mr. Hastings wanted that something to shew?

A. I do not know that Mr. Hastings required it; but it did appear to me necessary that something should be shewn.

Q. Upon what Ground did you think it necessary that something should be shewn?

A. As

A As great Concessions were made to the Nabob, I thought it right, on that Ground, that there should be something to shew on his Part; a great Portion of the Company's Troops were withdrawn from the Nabob's Service, some Establishments under British Officers were also by the same Treaty abolished.

Q Were there any other Grounds for that Sort of Necessity you thought there was, for Mr. Hastings to have something to shew, as a Foundation for making the Concessions?

A. I do not recollect any other.

Here the Two last Questions and Answers were read over by the Clerk.

Q Did you not afterwards declare to Mr. Hastings, that you was ready to assert that the withdrawing those Troops was an Advantage to the Company, and not a Detriment?

A. I cannot say whether I have ever said so to Mr. Hastings, or not; but my Opinion is so certainly, that it was an Advantage to the Company, and no Detriment; and for this Reason, because the Nabob was absolutely unable to pay them.

Q Then, upon what Grounds was it that you thought that, Matter of Concession, which was an Advantage to the Nabob?

A. It had that Appearance upon the Face of the Proceedings: the Reality might not be understood.

Q Whether this Engagement on the Part of the Nabob, which you thought it necessary Mr. Hastings should have to shew, was that Part of the Engagement which was not to be fully and literally executed: the Part which you gave him Hopes would not be rigorously exacted?

A. Certainly.

Q Whether if you had known of the Present of 100,000 l. then given to Mr. Hastings, you would not have been able to have accounted for the Concessions made to the Nabob, without exacting from the Nabob any Treaty to shew?

A. As this appears to me Matter of Opinion only—I wish to know whether I am to speak to it?

Q Is there any Fact you know of that leads you to form any Opinion upon the Subject?

A. No.

Q When did you first communicate to Mr. Hastings that you had used these Arguments to induce the Nabob to sign the Treaty?

A. I believe that will appear upon the Record.—If your Lordships will give me Leave, I will refer to the Letter. I do not recollect exactly the Date of it.

Q Did you ever communicate it to Mr. Hastings, otherwise than by the Letter, not in Conversation?

A. Certainly never.

Q You never communicated it in Conversation to Mr. Hastings?

A. No.

Q What is the Date of that Letter?

A. The 30th December.

Q That was after you left Chunar?

A. Yes.

Q How long did you remain at Chunar after the Treaty was executed?

A. I left it, I believe, on the very next Day.

Q Then you left it on the 20th of September?

A. I believe it must have been on the 20th of September.

Q Did you see Mr. Hastings between the Time you was present with him in the Room, when that Treaty was executed, and the Time of your leaving Chunar?

A. Yes: I did certainly.

Q The same Day, or the next Day?

A. Both, I apprehend. With respect to the next Day, I cannot be quite certain. I rather think I did.

Q What leads you to be certain that, during the Conversation you might have with him, either that Day or the next, you did not mention those Assurances you had given the Nabob?

A. I think I should have remembered it if I had mentioned it to him.

Q What is the Date of that Letter?

A. It is dated the 30th December 1781.

Q Was that the first Letter you wrote to Mr. Hastings after you left Chunar?

A. No; I wrote him many Letters.

Q. But

Q. But the first you remember in which you made any Communication of that Sort to Mr. Hastings?

A. Yes.

Q. Upon what Occasion did you make this Communication at last; what was your Inducement to make it then; do you recollect it?

A. Yes; it was in consequence of some Complaints of Mr. Hastings, of the tardy Execution of the Treaty.

Q. Did you not, after that Communication, receive Mr. Hastings's peremptory Orders to carry the Treaty literally and fully into Effect?

A. Mr. Hastings's Letter upon that Subject is upon Record. I hope your Lordships will permit me to refer to it.

Q. Did you receive any other Orders, than what are contained in that Letter?

A. I believe not; no other Orders than what are contained in the Letter upon Record.

Q. Do you mean to say, there were not private Letters from you to Mr. Hastings, and from Mr. Hastings to you, upon this Subject, which are not upon Record, and to which you paid equal Attention?

A. I believe there are no Letters from Mr. Hastings, or from myself, relative to that Treaty, which are not upon Record.

Q. Did you not write private as well as publick Letters to Mr. Hastings, during the Whole of that Transaction relative to the Begums?

A. Yes.

Q. Did you not receive Answers in the same Manner?

A. Yes.

Q. Where are Mr. Hastings's private Letters upon Record; upon what Record; and where to be seen?

A. Upon the Records before this Court.

Q. The Question was, whether, besides those Letters that are put upon Record, there were not some private Letters, which passed between Mr. Hastings and you upon this Subject, that are not upon Record?

A. I believe not.

Q. You mean there are none such?

A. Not upon the Subject of the Begums.

Q. What do you mean by being upon Record?

A. I have seen them in several Books; I was reading several of them in the Room, before I was called to the Bar.

Q. Do you recollect what Sort of Book it was you read them in; was it a printed Book?

A. Yes; it was a printed Book.

Q. Then, I understand in general, in your Language, you call that a Record which contains the Transmission of the Correspondence between the Resident at Oude, for Example, and the Government at Calcutta?

A. Yes.

Q. These were not put upon the Record in that Sense of the Word: were they?

A. They were recorded by Mr. Hastings in Calcutta.

Q. Upon what Occasion?

A. I believe it was upon the Occasion of the Charges made against me by the Governor General and Council. I believe, upon that Occasion, these Letters were recorded.

Q. What was the Date of that Charge made against you?

A. I cannot charge my Memory with the particular Date, but it will appear from the Charge itself.

The Council for the Defendant acquainted the House it was upon the 12th of June 1783.

Q. They were not put upon Record till then; and they were put upon Record on that Occasion.

A. Yes.

Q. Have you seen your Letter Book? Do you know whether these Letters appear upon your own Letter Book?

A. No, they do not.

Q. How came they not to appear upon those Letter Books ?

A. I never put upon Record any private Letter of Mr. Hastings.

Q. What are those Letter Books ? What are they the Records of ?

A. My official Correspondence with the Government.

Q. Kept in the Office ?

A. Yes, in the Office.

Q. So that they are what you call of Record ?

A. Yes, the Record of my official Correspondence with Mr. Hastings and the Government.

Q. And you did not put these Letters upon those Books ?

A. I did not put any private Letter whatever upon those Books.

Q. Did those Letters relate to any Thing but public Matters—the Matters of your Mission ?

A. I received Letters from Mr. Hastings, from the first of my Appointment at Lucknow, in which publick Matters were occasionally mixed with private Matters: The Letters that I now allude to, as having been recorded by Mr. Hastings, seem to me to relate wholly to publick Matters.

Q. Had you not a Correspondence with Sir Elijah Impey relative to the Transactions concerning the Begums ?

A. I had.

Q. Does that Correspondence appear upon any Record ; and what ?

A. It does not appear upon any Record that I know of, excepting when it was delivered by Sir Elijah Impey to the Honourable the Committee of the House of Commons.

Q. Did you place any Part of that Correspondence upon your own official Books ?

A. No, certainly not.

Q. Whether Mr. Hastings did not give you Copies of the Treaty of Chunar, or of either Part of it, before he left Chunar with the Nabob ?

A. I am not quite clear whether he gave me a Copy, or not ; I carried away with me the Originals of both Treaties: I have no Doubt he did give me Copies, though I do not immediately recollect it: The Originals were carried by me to Lucknow.

Q. Did Mr. Hastings give you the Originals of the Treaty, without keeping a Copy himself ?

A. I understood Mr. Hastings had no Copy of the Treaty, till I sent it from Lucknow.

Q. Do you know how you came to have the Originals at all ?

A. No ; it was in the Hurry of setting out the next Day ; they were mixed amongst my other Papers, and I did not find out my Mistake till I arrived at Lucknow, as I had no Opportunity of examining my Papers till I arrived there.

Q. Then do you or not know whether any Copy was preserved by Mr. Hastings ?

A. I rather think not ; I do not know for Certainty ; but I rather think he had no Copy of it till afterwards when I sent it from Lucknow.

Q. The Treaty having been signed on the 19th, and you leaving Chunar on the 20th, how came it so mixed up with your Papers that you could not readily find it ; by what Accident was it, if it was an Accident ?

A. I do not know by what Accident it came to be mixed with my Papers, but, in the Hurry of marching, I had no Opportunity of looking at my Papers till I arrived at Lucknow.

Q. Did you put your Papers together yourself, upon your Departure to Lucknow ?

A. I rather think, Mr. Johnson, who was my principal Assistant, put up the Papers.

Q. When did you first discover that you had that Original Treaty with you ?

A. Very soon after my Arrival at Lucknow.

Q. How long was it before you sent Mr. Hastings a Copy of that Treaty ?

A. My Letter upon that Subject will, I believe, ascertain the Date.

Q. That was the first Time that you did ?

A. Yes ; I first sent him Copies of the Treaties, and afterwards the Originals.

Q. When did you send the Original Treaty ?

A. It must have been either the End of November or Beginning of December, I think ; and I sent them under the Charge of Colonel Hannay.

Q. Do you know whether that Letter appears upon Record ?

A. I do not know whether it does or not ; but I recollect very well sending them by Colonel Hannay.

Q. Do

Q. Do you recollect to have received Letters from Mr. Hastings, between the Time of sending the Copies and the Originals, declaring to you, that he could not send his Narrative of the Transactions respecting the Begums to Calcutta, on Account of those Treaties being absent from him?

A. I recollect receiving a Letter from Mr. Hastings, not exactly to that Purport, but declaring that he was prevented from sending his Narrative, for Want of some of the Papers I had carried with me to Lucknow. I rather apprehend that meant, some of the Papers of the Establishment, and other Papers that had been delivered to him at the Time the Treaty was in Negotiation.

Q. Are the Letters upon Record the only Application you received from Mr. Hastings upon the Subject?

A. I believe all the Letters I received from Mr. Hastings upon that Subject are upon Record.

Q. Was it an authentic and attested Copy of the Treaty that you sent to Mr. Hastings, whenever you did send it?

A. I don't remember that it was any otherwise authenticated, than under my own Signature, declaring it to be a true Copy.

Q. Was the Application for the Original subsequent to your having sent him a Copy?

A. Yes.

Q. For what Purpose, then, was the Original necessary when he had a Copy?

A. I did not understand he wanted the Treaty, but the Papers connected with the Treaty.

Q. Was there any other Reason why Mr. Hastings should apply to you for the Original, after having had an authenticated Copy?

A. I don't know any other Reason than that the Original was a Record of Office, which properly belonged to him.

Q. Before you sent the Original, did you leave an authentic attested Copy of the Treaty in your Office at Lucknow?

A. It was authenticated under my own Signature as a true Copy.

Q. Was it left in your Office?

A. I have no Doubt of it.

Q. But you do not particularly remember the Circumstance?

A. I do not particularly remember the Circumstance, but I have no Doubt of it.

Q. Do you know what became of the Original Treaty after you sent it?

A. No, I do not.

Q. Did you ever hear from Mr. Hastings what became of it?

A. No; I never recollect hearing from Mr. Hastings what he did with it; nor do I recollect ever having had an Acknowledgement from Mr. Hastings that he had received it.

Q. You said you sent it by Colonel Hannay; did you, or did you not, wait for that Sort of Conveyance, in order to send it down?

A. Colonel Hannay was the first safe Opportunity that I recollect to have occurred, after Mr. Hastings had called upon me for it.

Q. What was the Opportunity by which you sent the Copy?

A. By the common Dawk or Post.

Q. Then you did not think the Opportunity by which you sent the Copy safe enough for the Original?

A. No, certainly.

Q. Did you ever take any Notice to Mr. Hastings, of his not having given you an Acknowledgment of the Receipt of that Original Treaty?

A. I did not: I took it for granted he had received it, as Colonel Hannay, who carried the Treaty, arrived safe at Chunar.

Q. Did you call upon him for any Acknowledgment?

A. I did not.

Q. Did you think it extraordinary, that you should not have such an Acknowledgment sent?

A. No, I cannot say I did.

Q. Did Colonel Hannay return to Lucknow?

A. No, he did not return at that Time; but I think he returned afterwards; but I am not quite certain.

Q. Had you any Reason to know, of the Nabob or his Minister, while at Chunar, having made any Communication to Mr. Hastings of that Part of your Conversation which was the Inducement with the Nabob to sign the Treaty?

A. I do not know that they did, or that they did not.

Q. Had

Q. I Had you any Conversation with Mr. Hastings upon that Subject?

A. No, I had not. I have already stated that I had no Communication with Mr. Hastings upon that Subject.

Q. Or did you converse with the Nabob or his Ministers afterwards upon that Subject?

A. It is very possible I might; I rather think I did.

Q. Did the Nabob or his Minister afterwards converse with you upon the Subject of these Assurances you had given them?

A. I rather think I had Conversation upon that Subject.

Q. Was it Part of that Conversation, that it had been communicated to Mr. Hastings?

A. No; it certainly was not: And I have no Reason to believe it was ever communicated to Mr. Hastings, till my Letter upon the Subject communicated the Information to him.

Q. Are you positive, and have a perfect Recollection, that neither the Nabob, or his Ministers, ever spoke to you, upon the Subject of those Assurances having been communicated to Mr. Hastings?

A. Certainly I am as clear as it is possible to be upon a Matter at such a Distance of Time; I have spoken rather doubtfully of having had Conversation with the Nabob and his Ministers upon the Subject; but I have no Doubt I had, because I was in Conversation with them every Day upon what passed at Chunar; and no doubt that was a Part of the Conversation. But I am positive I had no Conversation with them about it, as having been communicated to Mr. Hastings.

Q. Whether, while you and the Nabob were at Chunar, the Communication between Chunar and Lucknow was cut off?

A. The Communication was very difficult; I cannot say it was entirely cut off, but it was very much obstructed, and it was with great Uncertainty that any Letters could be conveyed to or from Lucknow; I mean the common Mode of Communication by the Post; there certainly were Means of Communication, which I myself had Occasion to employ, by dispatching private Persons with Letters, backwards and forwards.

Q. The Question is, Whether that Species of Communication was perfectly free and open, or in any Degree embarrassed and obstructed?

A. It certainly was very difficult; for I have been obliged to make very large Considerations to those that carried Letters; they considered it as a Service at the Risque of their Lives, and insisted upon being paid accordingly.

Q. What Letters from Lucknow did you receive while you was at Chunar?

A. I do not recollect all the Letters I received; I received several from Lucknow, and other Places in the Province of Oude.

Q. Have you any Letters which you received, while you was at Chunar, from the Province of Oude?

A. It is impossible I can say whether I have or not, in a Multiplicity of Papers; it is very probable I may. I recollect to have received several Letters from Colonel Hannay, but I have none of them, because every one of Colonel Hannay's Letters were delivered up to him at Lucknow, to refresh his Memory, upon making his Affidavit before Sir Elijah Impey, and it did not occur to me to get them back from him.

Q. Have you seen any of the other Letters lately?

A. No, I have not.

Q. Are any of those Letters which you received, while you were at Chunar, from Lucknow put upon any Thing you call a Record, either your own official Book, or the Books of the Government at Calcutta?

A. I do not know that they are.

Q. Upon your Return from Chunar to Lucknow, did you or did you not find Letters from Colonel Hannay addressed to you at Lucknow?

A. Yes, I believe I did.

Q. Did you deliver up these Letters also to Colonel Hannay to refresh his Memory?

A. I delivered every Letter of Colonel Hannay's I could find, and I have no Doubt these were among the Letters I delivered up to him.

Q. Do you remember when it was, that you delivered these Letters to Colonel Hannay?

A. I do not recollect exactly the Time, but it was upon that Occasion when he was called upon to make his Deposition before Sir Elijah Impey.

Q. Did you not make Use of all the Information you received in those Letters of Colonel Hannay's, in a Letter from you to Mr. Hastings, previous to your delivering up this Correspondence?

A. I did.

Q. Can you distinguish the Letters from which you collected that Information ?

A. I believe the Dates of the Letters will appear ; I extracted such Parts of them as I thought were to the Purpose, or were of Consequence to myself.

Q. So that your Letter to Mr. Hastings purports to contain Extracts of the Letters and the Dates.

A. Yes ; and I believe the Dates are ascertained.

Q. Did you return with the Nabob from Chunar to Lucknow ?

A. I did ; the Nabob went round by Fyzabad ; I left Chunar with the Nabob, but we separated upon the Road ; I went strait to Lucknow, and he round by way of Fyzabad.

Q. Did Hyder Beg Khan go with you or with the Nabob ?

A. To the best of my Recollection he went with me, strait to Lucknow ; I am pretty certain he did.

Q. In what Manner was the Nabob attended when he left you upon the Road ?

A. He went with no great Attendance ; he travelled as expeditiously as he possibly could, with his usual Guard of Horse, but no other that I recollect.

Q. Whether you understood that on the 19th September, when Mr. Hastings signed the Treaty of Chunar, he then possessed full and complete Information of all the Circumstances which were afterwards alledged against the Begums ?

A. No ; I apprehend he did not ; it was impossible he could.

Q. Why was it stipulated in that Treaty that the Begums should have an Equivalent for the Resumption of their Jaghires ?

A. I cannot say what might have been Mr. Hastings's Reason for that Stipulation.

Q. Do you know upon what Grounds, either on the Side of Mr. Hastings, or of the Nabob, it was, that that Stipulation was made ?

A. No : I do not.

Q. Have you ever heard any Explanation of it from Mr. Hastings ?

A. I cannot say that I have.

Q. At the Time of the Execution of the Treaty of Chunar, was you apprized of the Treaty with the Begums, to which the English were Guarantees ?

A. Certainly.

Q. Did you think that a Reason ?

A. That might have been the Reason : I will not pretend to say it was.

Q. Did you think it an extraordinary Circumstance that such an Equivalent should be stipulated upon the Resumption of the Jaghires ?

A. No ; I did not.

Q. Had you any Conversation with the Nabob upon that Subject ?

A. I cannot fix any Conversation in my Memory upon that Part of the Subject ; but I have no Doubt but I conversed with him frequently upon the whole Subject.

Q. Had you no particular Conversation with the Nabob, or his Ministers, respecting the Begums, at that Time ?

A. It is very probable I had, but I cannot positively say : It was certainly very probable.

Q. Then I am to understand, that it was not a Matter of such Importance, as to have left an Impression of it upon your Mind ?

A. I cannot say that it made an Impression on my Memory, more than any other Parts of the Treaty ; it certainly did not make any particular Impression upon my Memory.

Q. Did you keep any Memorandums of the several Conversations and other Proceedings that you had upon that Treaty ?

A. No.

Q. Had you any Conversation with Mr. Hastings upon the Subject of the Begums, or of the Condition they were to be left in ?

A. I do not recollect any particular Conversation farther than that they were to have a full Equivalent ; it was to be made fully up to them by ready Money paid them.

Q. Had you any particular Conversation with the Nabob, while you continued on the Road, before you parted, respecting the Begums ?

A. Not particularly, that I recollect.

Q. (*Cross examined.*) You have said Mr. Hastings could not have obtained full and complete Information upon the Subject of the Begums Behaviour in the Province ; do you not know that, before you left Chunar, Mr. Hastings had a considerable Quantity of Information upon that Subject ?

A. I understood he had some Information upon the Subject, but to what Extent I cannot say.

Q. Do you recollect to have communicated to Mr. Hastings, any Information upon the Subject of the Begums Behaviour at the Time you was at Chunar?

A. I certainly communicated all the Information I received, and some Letters of Colonel Hannay's, which I received at Chunar, I certainly communicated to Mr. Hastings.

Q. What other Information had you received, at the Time you was at Chunar, upon that Subject?

A. I do not recollect that I received any other particular Information; I certainly had heard many general Reports.

Q. General Reports of what?

A. Of the Conduct of the Begums, in assisting the Rebellion of the Rajah Cheit Sing.

Q. Were those general Reports communicated by you to Mr. Hastings?

A. The Reports were very general. I do not recollect that I made any particular Communication to Mr. Hastings; he, most undoubtedly, had the same Opportunity of hearing them that I had.

Q. Do you, or do you not, remember, whether those Reports, and the other Intelligence you had gotten of the Behaviour of the Begums, were Part of the Subject of your Conversations with Mr. Hastings?

A. I do not particularly recollect it, though it undoubtedly was; it certainly must have been; it was the common Report of the Place, and of every Body, during my Residence at Chunar.

Q. What was the Subject of that Report?

A. That they had encouraged the Revolt of Rajah Cheit Sing; and that they had even assisted him in raising Troops.

Q. Was it Part of the Report, that they had assisted, or had any Share in the Disturbances in Goruckpore?

A. I believe the Letters of Colonel Hannay speak to that Subject: I do not recollect, at this Time, that I had any Information respecting the Part they had taken in those Disturbances.

Q. Was it a prevalent Report, while you was at Chunar, that the Begums had taken an active Part in the Disturbances?

A. It was.

Q. Had you any Reason, and what, to doubt the Truth of that Report?

A. No; I had no Reason to doubt the Truth of it.

Q. Did you yourself believe the Truth of those Reports?

A. I thought them very probable.

Q. Were they acted upon at the Time?

A. I believe not.

Q. Had you, upon further Inquiry, Reason to believe that the Begums had been active in those Disturbances?

A. Certainly, I did believe it perfectly.

Q. Can you specify any particular Acts, in which they were concerned?

A. I understood, from the Information of Colonel Hannay and others, that Troops had actually been sent from Fyzabad to Benares, by the Begums' Eunuchs, or through their Assistance, to the Support of Rajah Cheit Sing.

Q. By whom were those Troops levied and paid?

A. It is impossible for me to say.

Q. Did the same Report, which informed you they had been sent to Benares, inform you they had been levied and paid by the Begums?

A. I believe it did: It was the Report, that Money had been advanced by the Begums to those Troops.

Q. What Number of Troops were specified, in that Report, to be sent by the Begums from Fyzabad?

A. I think a Thousand Men at one Time.

Q. Do you know what Number of Troops the Begums had at any Time in their Pay?

A. It is impossible to say with any Precision; their Jaghires were very extensive, and in different Places; and they had large Bodies of Troops, employed for the Collection of their Revenues, in all those Jaghires.

Q. As near as you can recollect, how many did the Number amount to, in the several Jaghires in which they were employed?

A. My Answer to that must be very doubtful: I should suppose, they might altogether be able to muster Ten Thousand Men.

Q. Do

Q. Do you know what Force the Begums retained about themselves at Fyzabad, where their Residence was, not immediately employed in the Collection of their Jaghires?

A. In general they did not keep many Troops at Fyzabad, I believe.

Q. Do you know how many; did they keep any?

A. Some; but not more than was necessary for the Guard of their Palace and their Persons.

Q. What might that Number be?

A. It might be a Thousand Men.

Q. Do you know what Number of Troops they had about Fyzabad, in the Months of August, September, and October 1781; or the greatest Number they had at that Time?

A. I cannot say that I know. At the Time we went to Fyzabad to seize upon the Begums Treasure, they had about 5000 Men in the Town.

Q. When was that?

A. In January 1782; but I cannot tell what Number they had in August, September, and October 1781.

Q. But had they any extraordinary Number, above the Thousand Men you stated?

A. I do not know that they had.

Q. You have said the Communication between Chunar and Lucknow was much obstructed, at the Time you was at Chunar—state what was the Occasion of that Obstruction?

A. The general Disorder throughout the Country.

Q. What Sort of Disorder are you speaking of?

A. Insurrections.

Q. By whom?

A. Insurrections by the Natives of the Country, by the Zemindars; and also in Cheit Sing's Country, of course, by the Dependents of the Rajah; in the Province of Oude, by the Insurrection of the Zemindars; and in the Province of Benares, by the Adherents of Rajah Cheit Sing.

Q. Do you know the Cause of the Insurrection of the Zemindars in the Province of Oude?

A. I cannot say I know it of my own Knowledge: The Report was, that they had been encouraged to it by Rajah Cheit Sing; that they had received Promises of Sums of Money: But I speak from Report, not from any Knowledge I had of the Fact.

Q. Do you know a Person of the Name of Shumsheer Khan?

A. I have heard of such a Person.

Q. What was his Situation?

A. He was Phousldar or Governor of Tanda, a Place in the Begums Jaghire.

Q. Was he an Officer under them, or under the Nabob?

A. Under the Begums.

Q. Was he employed in the Collection of their Revenue, or to manage their Concerns in that District?

A. I understood him to be placed there to collect their Revenues.

Q. Was Shumsheer Khan an adopted Son of one of the Begums Ministers?

A. I understood he was; he had been originally the Slave, and was afterwards adopted as the Son, of Bahar Ali Khan.

Q. Do you know of any Acts of Hostility committed by Shumsheer Khan, against any British Officer, during the Time of those Disturbances?

A. I know it only from the Information of Captain Gordon.

Q. Did you transmit that Information to Mr. Hastings?

A. I think the first Information of the Transaction to which this alludes, was received at Chunar before I left it; and of course communicated to Mr. Hastings.

Q. Was that any Part of the Reasons alluded to by you in your Letter of the 17th September 1781, where you say, 'When I had lost the Honour of seeing you, I more than once urged my Reasons for thinking that the Rebellion of Rajah Cheit Sing was but a Part of a larger and more extensive Plan, which was, by the good Fortune of your Arrival, prematurely brought forward before all the Parties to it were united and properly prepared for Action (a)'?

A. I have no Doubt it was.

The Managers for the Commons informed the House, that this Letter was misprinted in the Calcutta Narrative, the 17 September for the 17 October, as appeared by the Original.

(a) Vide Narrative of the Insurrection at Banaris, Calcutta Edit. Appendix, Part 1. P. 64,—& *supra*, P. 182.

Q. Are the several Facts suggested and the Information contained in this Letter true, to the best of your Knowledge ?

A. I certainly believed them, or I should not have transmitted them to Mr. Hastings.

Q. How far is Tanda, the Situation of the Begums Jaghire, from Fyzabad ?

A. I cannot speak with any Precision ; I should imagine about 28 or 30 Miles, but I speak without any positive Information upon the Matter.

Q. From your Knowledge of the Situation of Shumsheer Khan, and his Dependance upon the Begums, do you believe he would have engaged in any Act of Hostility against the English Interest, unless he had been authorized and encouraged in it by the Begums ?

A. I should apprehend, speaking from Opinion, that he would not have ventured upon such a Step, as I suppose he did take, without being assured of the Protection of the Begums.

Q. (*by the Managers.*) Is that your Opinion now ?

A. Yes, it is.

Q. (*by the Counsel*) What was your Opinion at the Time ; and did you intimate to Mr. Hastings, that your Belief was, that the Begums had used every Means in their Power, to promote and encourage the Rebellion of Rajah Cheit Sing ?

A. I believe I have stated my Opinion to be such, in the Letter just now alluded to ?

Q. Was it your Opinion ?

A. Certainly.

Q. Did you communicate that Opinion to Mr. Hastings ?

A. It is the Opinion communicated to Mr. Hastings in the Letter.

Q. Is that your Opinion now ?

A. It certainly is.

Q. Was that the prevalent Opinion in the Country ?

A. I believe it was the universal Opinion.

The Managers for the Commons stated, that the Witness having, upon the Cross Examination (*a*), spoken of Reports relative to the Conduct of the Begums, concerning which he had had Conversation with Mr. Hastings, and having, upon his Examination in Chief, sworn that he never had any Conversation with Mr. Hastings respecting the Begums, of such Importance as to leave any Impression upon his Memory, they desired the Examination in Chief of the Witness, as to that Point, might be read.

The same was read by the Clerk, as follows :

Q. " Had you no particular Conversation respecting the Begums with the Nabob, or his Ministers, at that Time ?

A. It is very probable I had ; but I cannot positively say ; it was certainly very probable.

Q. Then, am I to understand it was not upon any Matter of such Importance as to have left an Impression upon your Mind of it ?

A. I cannot say it made an Impression upon my Memory more than any other Part of the Treaty ; certainly it did not make any particular Impression.

Q. Did you keep any Memorandum of the several Conversations and other Proceedings which you had upon that Treaty ?

A. No.

Q. Had you any Conversation with Mr. Hastings upon the Subject of the Begums, or the Condition they were to be left in ?

A. I do not recollect any particular Conversation, farther than that they were to have a full Equivalent ; it was to be made fully up to them by ready Money paid them.

Q. Had you any particular Conversation with the Nabob, when you continued upon the Road with him, before you parted, respecting the Begums ?

A. Not particularly, that I recollect."

Then the following Question was put to the Witness :

Q. (*by the Managers.*) You have said, you did not think it extraordinary that an Equivalent should be stipulated for the Begums Jaghires : If you believed this Report of the Begums Behaviour, why did you not think that extraordinary ?

A. The Reports, though general, were certainly not proved, and could not therefore, I conceive, be made an Objection against giving an Equivalent for what was taken away from them at this Time.

(*a*) Vide supra, Page 110.

Q. Whether those Reports of Disaffection and Hostility, from whatever Quarter they came, were not equally pointed against the Nabob and against Saadit Ali Khan his Brother?

A. Some of them were certainly.

Q. Whether all the Reports you heard relative to the Begums, and their Indisposition, did not apply, without any Exception, both to the Nabob and to the Nabob's Brother?

A. I believe they were only contained in the Informations of Colonel Hannay and those Officers that were with him; I do not recollect that it was any Part of the general Report.

Q. Do you, or do you not remember, whether the Information which Colonel Hannay sent you, applied as well to the Nabob and the Nabob's Brother, as to the Begums?

A. It certainly did imply some Suspicions of the Nabob and his Brother Saadit Ali, as well as of the Begums?

Q. The Question is, Whether it applied as fully to the Nabob and his Brother, as to the Begums?

A. I believe not so fully; but I beg to refer to the Letters themselves.

Q. Concerning the other Informations and Reports you mentioned, whether they did not all apply as well to the Nabob and his Brother as to the Begums?

A. I do not think they did; I do not believe they did.

Q. Have you ever read the Affidavits that were taken before Sir Elijah Impey?

A. I have read some, and probably all of them at different Times; but I cannot say I recollect the Contents of them at this Distance of Time.

Q. Do you recollect whether there is any One of those Affidavits, that does not state Reports equally strong against the Nabob and his Brother, as against the Begums?

The Counsel for the Defendant objected to this Question, as going to the Witness's Recollection of what another Person wrote, on a Subject in which the Witness was not at all concerned.

Q. Did you, or did you not, receive a Letter from Capt. M'Donald while you was at Chunar?

A. I do recollect a Letter being received; it was not immediately from Capt. M'Donald; but it had been seized by some Party of Rajah Cheit Sing, and carried to him; it was an intercepted Letter.

Q. From whom, and to whom?

A. It was from Capt. M'Donald directed to myself, it was intercepted by some Party of Rajah Cheit Sing's, and carried to the Rajah, from thence it was sent to me by an English Gentleman, a Jew, that happened to be along with Cheit Sing.

Q. It was sent you to Chunar?

A. It was; I received it at Chunar?

Q. Was that Letter from Capt. M'Donald, in Point of Date, the first Information that you received upon the Subject of the Indisposition of the Begums?

A. I cannot say whether it was the first or not, or whether some of Colonel Hannay's might not have been prior to it.

The Managers for the Commons desired the Letter might be read to the Witness.

Read, the following Extract from the Appendix, Part 2, to the Benares Narrative, Num. 95, beginning at Page 117 of the same.

" My dear Nat.

" In such critical Times as these, every Man has a Right to relate what he hears: A Friend should and may do it without Impropriety; therefore, before Hannay leaves the Neighbourhood of Fyzabad, I write you my News and Opinion, lest hereafter our Communication be cut off. There is certainly Villainy abroad. The Nabob, 'tis said, set out well inclined to our Interest, but, since, he and Saadut Ally have come to a proper Understanding. The latter wrote him, he was wrong to give us any Assistance; that such another Opportunity might never offer of striking off the Yoke; as yet he need only stand neuter himself; and, under Pretence of assembling his Zemcedars to attack Cheit Sing, privately direct them to obstruct the Junction of our Forces by every possible Means. The Begums gave the same Advice, and Promise of Money. *This*, Cheit Sing has already disbursed, to a great Amount. This Plan was the Cause of Gordon's Disaster; being attacked in the Nabob's Country, while he thought himself amongst Friends. My Information is from some Zemcedars, who I have had it in my Power to be kind to. Also, it is the publick Talk of Fyzabad, where my People are daily insulted. Likewise Zalim (who is with 2000 Men on the other Side, and means to cross in the Morning) boasts that he will soon do for us, as the Nabob will send Hannay no Assistance, that he is sure of, nor will any of the Collectors pay more Money; we shall, therefore, shortly have none to pay our Troops with—while they have Plenty. Hannay is now about Two Co's below

Ry.

Ry Ghaut, on the Oude Side, with only Two Companies, Two Guns, and (I believe) some disaffected Horſe. I have written him preſſingly to croſs to this Place, for ſhould Zalim be over before him, I ſhall be hemmed up in a ſmall Fort with One Hundred and Fifty Sepoys, when Zalim will take Care Hannay does not get over to relieve me; perhaps, while attempting to paſs the Gogra, be attacked by the People of the Begums, with the Zemcedars ſet on by her. In ſuch an Event, he could not poſſibly eſcape Deſtruction: My Wauffelaut would ſoon be ſettled after ſuch an Accident. I am apt to think this Marattah Treaty is only a Fetch to gain Time, until the Rains are over for certain, as their Horſe could not act during that Season. Look to yourſelf, Nat. you may be in the Nabob's Power. Mr. Haſtings ſhould not leave Chunar, until there be Force very ſufficient at Hand, both to check his Excellency, and do for Cheit Sing, left he get into a worſe Scrape. A very few Days will determine it one way or other, with Regard to us Rulers over theſe. You may think me humming, but it is more than Odds we never, never meet again. God proſper You, and pray take Care, &c.

“ Amore,
9th September 1781.

“ Yours, &c.
J. Macdonald (a).”

Q. Do you remember this Letter?

A. I do.

Q. Did you communicate this Letter to Mr. Haſtings?

A. I delivered the Letter to him.

Q. Where?

A. At Chunar.

Q. Do you not know that Mr. Haſtings received numerous Intimations and Cautions againſt the Nabob Vizier?

A. I believe he did receive ſome.

Q. Can you tell whether they were or were not numerous?

A. I cannot tell.

Q. Did you believe the Reports, as applied to the Vizier and Saadit Ali, as well as to the Begums?

A. I certainly did not believe them, as they applied to the Vizier, with whom I happened to be at the Time; but, with reſpect to Saadit, I cannot ſpeak with the ſame Certainty.

Q. Do you believe them at this Moment, with reſpect to Saadit Ali?

A. I can only ſpeak from what is upon the Records: Mr. Haſtings acquits Saadit Ali of any Views of that kind; I cannot now form any Opinion of them.

Q. Whether thoſe general Reports, concerning the Begums, did not aſſert, that the Objects of the Begums were, as well to dethrone the Nabob, as to extirpate or injure the Engliſh?

A. I think they were, to the beſt of my Recollection.

Q. But as to the Point of dethroning him?

A. I cannot ſay ſo generally as that, but they were hoſtile to him.

Q. Whether upon your Oath you have not ſo ſtated it?

A. I do not recollect that I have.

Q. Did you not think it an extraordinary Circumſtance that the Nabob ſhould go with ſo ſmall an Attendance through Fyzabad, which was the Head Quarters of the Rebels, at the very Moment the Rebellion exiſted?

A. The Nabob's Guard at this Time was about 2000 Horſe, and I underſtood at this Time that the Diſorders of the Country had a good deal ſubſided.

Q. Whether you did, or not, think it extraordinary he ſhould go with a Guard of 2000 Horſe, under the Circumſtances you have repreſented the Country to have been in, or to have been reported, at leaſt, to be in?

A. No, I did not think it extraordinary; 2000 Horſe I ſhould think ſufficient to have repelled any Force that might be diſpoſed to obſtruct him.

Q. You ſaid the Nabob parted with you to travel as faſt as he could, round by Fyzabad, with thoſe Horſe; did you underſtand the Nabob to go to pay a Viſit to his Mother, or to ſuppreſs an Inſurrection?

A. To pay a Viſit, I underſtood.

Q. Did you remonſtrate to the Nabob upon the Danger of paying a friendly Viſit at that Time?

A. No, certainly not.

Q. Whether you did not make an Affidavit before Sir Elijah Impey?

A. I did.

Q. Does not that Affidavit purport to contain the Whole of the Truth which you knew respecting the Begums ?

A. Every Thing that I know of my own Knowledge certainly.

Q. When did you see Colonel Hannay, after the Affair of Shumsheer Cawn's supposed ill Conduct to Captain Gordon ?

A. About Two Months afterwards, to the best of my Recollection, the Accident to Captain Gordon happened in September, and I think I saw Colonel Hannay in November.

Q. Was that before Sir Elijah Impey arrived at Lucknow ?

A. About that Time.

Q. Do you remember the Arrival of Sir Elijah Impey ?

A. Yes.

Q. Was your Conversation with Colonel Hannay, respecting Captain Gordon's Affair, at the Time you delivered him up the Letters ?

A. I believe it was about that Time.

Q. What Circumstance did Colonel Hannay relate to you respecting Captain Gordon's Situation and his Escape upon that Occasion ?

A. I cannot say I recollect particularly the Conversation Colonel Hannay had, further than relating the Accident he had met with, and the narrow Escape that he had had : He mentioned, at the same Time, that he had had some Correspondence with the Begums upon the Subject.

Q. Did he not inform you of the Purport of that Correspondence between him and the Begum ?

A. Not in particular ; he only informed me in general, that it was an amicable Correspondence.

Q. Did you not learn from it that the Begums had in Fact rescued Captain Gordon from the Situation he was in at Tanda ?

A. I understood from Colonel Hannay, that the Begums had rescued Captain Gordon, and sent him under a protecting Guard to Colonel Hannay.

Q. Did you not depose upon Oath, before Sir Elijah Impey, every Circumstance that you knew against the Begums ?

A. I apprehend I did ; I knew very little, of my own Knowledge, respecting the Begums, as I happened to be, during the Time of the Troubles, with Mr. Hastings at Chunar. I asserted very little upon my own Knowledge.

Q. But you asserted all that you did know of your own Knowledge ?

A. Yes.

Q. Does not that Affidavit contain also Assertions of Hearsay which came to your Knowledge ?

A. I would wish the Affidavit to be read ; I cannot say I can recollect, at this Time, what I did say then.

Then the following Passage of the Witness's Affidavit was read to him, from the Appendix to the Benares Narrative, Num. 9. A. (a)

' That he heard, at the Time, and believed, and does still believe, that much Encouragement, and some actual Aid, in the raising of Troops, was given Rajah Cheyt Sing, by Bahar Ali Cawn, and Jewar Ali Cawn, the Two principal Eunuchs and Counsellors of the Vizier's Mother, at Fyzabad ; and that their Conduct, as well as that of their Dependants, during the Continuance of the Disturbances at Benares, manifested a strong Disaffection to the English.'

Then the following Question was put to the Witness :

Q. Do you mean to say, you did intend to comprize in that Affidavit not only all that you knew of your personal Knowledge, but all that you had heard from Report ?

A. Yes, in general all I had heard upon the Subject.

Q. Why then did not you depose to this History that you heard from Colonel Hannay, of the Begums having delivered Captain Gordon, and sent him under a protecting Guard ?

A. The Reason I did not was, because at the Time Colonel Hannay gave me this History, he mentioned a Circumstance that gave me Reason to pay very little Attention to what the Begums did ; which was, that he considered Captain Gordon to be entirely at the Mercy of the Begums, and he thought it a Piece of Policy to temporize with the Begums, and to write them friendly Letters ; and to those Letters he did impute at the Time the Safety of Colonel Gordon.

(a) Vide supra, Page 255, 6th Line from the Bottom.

Q. Was

Q. Was that the whole Reason you had, for not inserting the Particulars of that History in your Affidavit ?

A. It was : I had not seen the Letters that passed between Colonel Hannay and the Begums ; it was only mentioned generally by Colonel Hannay.

Q. Whatever the Begums Motives were, was not you in fact apprized that Shumsheer Cawn, instead of being encouraged by the Begums to distress Captain Gordon, had in fact saved and protected him under their Orders ?

A. As far as I informed your Lordships, I certainly was ; at the same Time I was not apprized that the Begums had taken any Notice of the Behaviour of Shumsheer Cawn, as it was represented by Captain Gordon, but that he was continued there in his Office the same as he was before.

Q. I understand you to say that you were then apprized that the Begums had taken no Notice of the Behaviour of Shumsheer Cawn ?

A. I was apprized that they had not taken Notice of his Behaviour, but continued him in his Office.

Q. Was you not apprized that the Begums upon the First Intimation from Colonel Hannay that Captain Gordon was in any Danger, had sent an Escort of Troops to rescue him from that Danger ?

A. I heard that they had.

Q. At that Time you were apprized of it ?

A. I was.

Q. Was you not apprized that Colonel Hannay and Captain Gordon, after Captain Gordon was in Safety with Colonel Hannay, had written a Letter of Thanks and Gratitude to the Begum and her Ministers ?

A. I was certainly apprized, from what Colonel Hannay had said, that he had written Letters to the Begums upon that Subject : I do not recollect that I heard, that Captain Gordon had written Letters upon that Subject.

Q. Was you apprized of a Letter from Captain Gordon to the Begum in the following Words ?

“ A Copy of an Address from Mr. Gordon to the Begum.

“ Begum Saib, of exalted Dignity and Generosity, whom God preserve.

“ After presenting the usual Professions of Servitude, &c. in the customary Manner, my Address is permitted.

“ Your gracious Letter, in Answer to the Petition of your Servants from Goondah, exalted me. From the Contents, I am become unspeakably impressed with the Honour it conferred. May the Almighty protect that Royal Purity, and bestow Happiness, Increase of Wealth, and Prosperity !

“ The Welfare of your Servant is entirely owing to your Favour and Benevolence.

“ A few Days have elapsed since I arrived at Goondah, with the Colonel Saib.

“ This is presented for your Highness's Information. I cherish Hopes from your Generosity, that, considering me in the Light of One of your Servants, always continue to exalt and honour me with your gracious Letters.

“ May the Sun of Prosperity continually shine.”

Q. Was you apprized of Captain Gordon's having written this Letter, after he arrived in Safety to Colonel Hannay ?

A. Not till I saw the Letter.

Q. Did you see the Letter at the Time ?

A. Not at the Time.

Q. Do you remember when you first saw it ?

A. It was towards the End of the Year 1782 that I first saw the Letter.

Q. Upon what Principle did you think yourself justified, when you were swearing to all you knew respecting the Begums, to conceal the Circumstance you now confessed ?

A. I have informed your Lordships what induced me to give it very little Credit, which was the Explanation given me by Colonel Hannay at the Time, of the Motives for his writing friendly Letters to the Begum.

Q. Whether Shumsheer Cawn was not afterwards delivered up to you by the Begums ?

A. He was delivered up to the Nabob.

Q. After the Storming of Fyzabad ?

A. Yes.

Q. Was

- Q. Was he delivered to you, or to the Nabob?
A. He was delivered up to the Nabob certainly; but I believe he was afterward's delivered over by the Nabob to my Guard.
- Q. What Charge did you then prefer against him, or what Means did you take to discover the Truth of his Conduct at Tanda?
A. At that Time, none.
- Q. Was not Shumshire Cawn almost immediately released after he was put under your Care?
A. Very soon after he was put into my Care. I left Lucknow, and went on Leave of Absence from Lucknow; and I left Mr. Johnson in Charge of my Office, and during my Absence he was released.
- Q. How long was it after the Time he was first committed to your Care?
A. About a Month, I believe.
- Q. Was any Examination taken, or Means used, to discover the Truth of Shumshire Cawn's Conduct?
A. No, not by me; not at all.
- Q. Do you know of any being taken in your Office by Mr. Johnson, or any Body else?
A. No, I do not.
- Q. Where was Mr. Scott's Factory?
A. At Tanda.
- Q. Where did Captain Gordon reside while he was at Tanda?
A. I don't know; probably in Mr. Scott's Factory: But I cannot say.
- Q. Had not Mr. Scott the Monopoly of Cloths in those Provinces?
A. He carried on a considerable Trade there; I cannot say he had a Monopoly.
- Q. Do you know what Monopoly means?
A. Yes.
- Q. Had he the exclusive Right of trading there?
A. No, not at this Time.
- Q. Had he a great Manufactory there?
A. Yes, he had.
- Q. Had you any Complaint, during the Whole of the Troubles of that Time, that Shumshire Cawn, or any other Person upon the Part of the Begums, had disturbed Mr. Scott, or any other Persons, or their Servants or Workmen, or any Englishman there settled?
A. I do not recollect that I had.
- Q. Did not the Begum herself deliver up Shumshire Cawn, expressing her Astonishment, that any such Report should prevail to his Disadvantage?
A. I do not recollect that she did.
- Q. Did not the Begum send Copies of the Correspondence between her and Colonel Hannay and Captain Gordon to you, just previous to the delivering him up?
A. No; I do not recollect she did.
- Q. Do you say, you do not recollect it?
A. Not at that Time; about a Twelvemonth afterwards, they were brought by Major Gilpin.
- Q. When Sir Elijah Impey was taking Depositions at Lucknow respecting this Affair at Tanda, did they call upon Mr. Scott to give any Information upon the Subject?
A. I really do not know whether he was, or that he was not: His Affidavit, I imagine, will appear, if he was called upon.
- Q. Do you know whether he was or was not called upon?
A. I do not.
- Q. Did not Colonel Hannay and Captain Gordon make Depositions before Sir Elijah Impey?
A. They did.
- Q. Did either of them mention the Circumstance of the Begum's having rescued Captain Gordon?

The Counsel for the Defendant objected to the Question.

- Q. Was not Captain Gordon a Military Collector under Colonel Hannay?
A. He was one of the Officers under Colonel Hannay. I will not take upon myself to say in what Manner Colonel Hannay employed him.

- Q. Was Colonel Hannay a Military Collector ?
 A. He was.
- Q. Do you know, what the Danger that Captain Gordon fell into was owing to ?
 A. No, I do not : Captain Gordon has stated the Whole in a very long Letter.
- Q. Do you know any Thing of it, besides what is contained in that Letter ?
 A. No, I do not.
- Q. (*by the Counsel.*) Do you know where Captain Gordon is at present ?
 A. I believe, in London ; I saw him a few Days ago.
- Q. Do you not know whether he is come from abroad on Purpose to give Evidence here ?
 A. I understand he is come from abroad for that Purpose, if he should be called upon.
- Q. Do you know what Degree of Danger Captain Gordon was in when the Begums protested him ?
 A. I did not understand he was under any Restraint ; he remained at Tanda till they sent the Escort to take him away.
- Q. Whether the Force that had been under the Command of Captain Gordon had been dispersed by Means of Shumsheer Khan and his People, before the Begum sent to deliver him ?
 A. I know no more of that Transaction than what is recorded by Captain Gordon himself.
- Q. (*by a Lord.*) Whether you preserved or destroyed those private Letters which you received from Time to Time from Mr. Hastings, and which you have stated to relate to publick Business, in Whole or in Part ?
 A. I cannot say I preserved them in Whole : I may have some of them ; I have no doubt but I have some of them.
- Q. Did you or did you not take and preserve Copies of your Answers to those private Letters ?
 A. Not entirely ; of some undoubtedly I did.
- Q. What is become of those Copies ?
 A. I have some of them undoubtedly ; I cannot say that I have complete Copies of them.
- Q. Did you communicate the Circumstance of Shumsheer Khan's not being animadverted upon by the Begums, as a Circumstance that you gave Credit to in Proof of their Disaffection ?
 A. No ; I do not recollect that I made any Communication of it.
- Q. If I understand you right, you say the Treaty of Chunar was in Two Parts ; One distinctly the Concessions made by Mr. Hastings, the other Part distinctly the Concessions made by the Nabob ; were there Counterparts of both those two Parts of the Agreement executed by the respective Parties ?
 A. Not that I know of.
- Q. Were both those Parts put by Accident among your Papers when you went to Lucknow ?
 A. They were, both of them.
- Q. Then the Nabob had no original Part ?
 A. The Original, upon his Part, was delivered to the Nabob.
- Q. How many Instruments were signed on one Side, or on the other, at the Time of the Treaty of Chunar, on the 19th of September ?
 A. Two.
- Q. A Part, and a Counterpart ?
 A. Yes.
- Q. Both those you had in your Possession ?
 A. Yes.
- Q. Then what do you mean by saying the Nabob had the Original ?
 A. The Nabob had the Part the Governor General had signed.
- Q. Then you could not have both in your Possession ?
 A. For a Time I had.
- Q. When was that other delivered to the Nabob ?
 A. The very next Day, I believe.
- Q. Whether there were Duplicates of these Two Parts executed by Mr. Hastings and the Nabob ?
 A. I believe not.
- Q. Then did you carry to Lucknow the two Parts, the Part containing the Concessions to Mr. Hastings, and the Part containing the Concessions to the Nabob ?
 A. I carried all the Papers relating to that Treaty.

Q. If

Q. If you were in Possession of both those Parts of the Agreement, of which there were no Duplicates executed, could the Nabob be in Possession of either Part in the mean Time?

A. It was delivered to him as soon as it could be after its Execution.

Q. Where was it delivered to him?

A. I cannot say whether at Chunar, or the next Day when I joined him on the other Side of the River; but it certainly was delivered to him and in his Possession, where I saw it frequently afterwards.

Q. I have understood you that both these Parts were found in your Possession when you went to Lucknow?

A. No, not when I went to Lucknow.

Q. When did you find those Parts in your Possession; you are understood to have said this,—that there were two Instruments signed, one by the Nabob, of the Contracts that he made in favour of the Company, and the other by Mr. Hastings, of the Contracts that the Company made in favour of the Nabob: You are understood also to have said, there were no Duplicates of those Instruments executed, and that both those original Instruments were carried by you to Lucknow?

A. Yes.

Q. Then the Nabob could not possibly have it?

A. I cannot say when it was delivered to the Nabob; but that it was delivered is certain, for it is in his Possession now.

Q. Do you know when he was first put in Possession of it?

A. I cannot say.

Q. What was it you delivered to Colonel Hannay to carry to Mr. Hastings?

A. The Part of the Treaty that pledged the Nabob to certain Conditions.

Q. One Part of the Treaty only?

A. One Part of the Treaty only.

Q. Then what became of the other Part which you did not transmit by Colonel Hannay?

A. That Part was lodged with the Nabob certainly.

Q. I understand you to have said, that you told the Nabob, and the Nabob's two Ministers, that his the Nabob's Part of the Engagement was not to be literally fulfilled, and that Mr. Hastings should have something to shew: Did you or did you not at that Time give the Nabob to understand that you gave such Assurances on the Part of Mr. Hastings, or that such Assurances were not given on the Part of Mr. Hastings: which was it?

A. I wished him to understand that I spoke only according to my own Belief of the Tenor and Object of the Treaty; I certainly did not tell him that I had any Authority from Mr. Hastings, nor do I believe he thought I had.

Q. Whether the Nabob, or either of his Ministers, did or did not express or intimate a Wish that Mr. Hastings, who was then in the Room, should confirm the Assurances you gave them in the Manner you did?

A. I do not recollect they did.

Q. Are you positive whether you ever had or had not from Mr. Hastings either special or general Instructions or Permission to make any Assurance of the Kind you have mentioned; or do you mean we should understand that you gave those Assurances entirely unauthorized by Mr. Hastings?

A. I do not believe Mr. Hastings ever did give me any Authority whatever for communicating such Assurances: I communicated them only, as founded on my own Belief of what was the Object and the principal Aim of the Treaty, namely, the Recovery of the Company's Debt from the Nabob: I stated it so to the Nabob.

Q. Whether that Belief was founded upon any Conversation with Mr. Hastings, respecting the Object of the Treaty?

A. I have no Doubt but it was; and even Mr. Hastings's Instructions, I believe, will serve to confirm that Belief.

Q. Then when you gave those Assurances to the Nabob, you thought you were giving Assurances conformable to Mr. Hastings's Intention, with respect to the Execution of the Treaty?

A. I certainly did conceive I was.

Q. (*By the Managers.*) When you communicated to Mr. Hastings this Argument, which you had used with the Nabob to prevail upon him to execute the Treaty, did Mr. Hastings in any Manner disavow it, or in any respect rebuke you, for having so pledged him to the Nabob?

A. Mr. Hastings's Letter, in Answer to mine, is upon Record; I hope your Lordships will permit me to refer to the Letter itself.

Q. Did Mr. Hastings, in any other Way than by that Letter, hold that sort of Conversation with you?

A. No; in no other Way than by that Letter, and the other Letters that are upon Record.

Q. When

Q. When the Nabob found that this Treaty was to be literally and fully carried into Execution, did he or did he not remind you of the Conversation he had with you, and your giving him Hopes that that would not happen ?

A. He did.

Q. (*from a Lord.*) Whether the Nabob would have executed that Treaty but under the Inducement of the Promise you made him in that Conversation : Was that his Inducement ?

A. His principal Inducement : With respect to the Question now put, I dare say the Nabob would not have executed the Treaty without some such Assurances as I gave him, without further Reference to Mr. Hastings. What Assurances he might have given him, I cannot say.

The Counsel for the Defendant desired the Second Article of the Treaty of Chunar might be shewn to the Witnesses.

The same was accordingly shewn to him ; and he was asked,

Q. Do you remember whether that Article was wholly the Nabob's own Proposition ?

A. I understood the Whole of the Propositions were entirely the Nabob's.

Q. Whether the Nabob's Complaints were or were not confined to this Article of the Treaty respecting the Resumption of the Jaghires ?

A. They were made upon that Occasion, and I believe were confined, as far as I recollect, to the Subject of resuming the Jaghires.

Q. Can you or not recollect, whether Part of that Objection did not expressly point to the Resumption of his Mother's Jaghires ?

A. It is very possible it might ; it was the most considerable, and the first Jaghire that was brought under Discussion.

Then the Second Article (a) of the Treaty of Chunar was read, as follows :

“ Art. 2. That, as great Distress has arisen to the Nabob's Government from the Military Power and Dominion assumed by the Jagheerders, he be permitted to resume such as he may find necessary ; with a Reserve, that all such for the Amount of whose Jagheers the Company are Guarantees, shall, in case of the Resumption of their Lands, be paid the Amount of their net Collections, through the Resident, in ready Money.”

Then the following Question was put to the Witnesses :

Q. (*By the Managers.*) Whether the Ground of the Nabob's Complaint was not, that Mr. Hastings endeavoured to compel him to resume such Jaghires as he, Mr. Hastings, and not the Nabob, thought proper ?

A. It was, that Mr. Hastings compelled him to make a general Resumption, instead of making it particular.

Then the Managers for the Commons desired a Passage might be read from Mr. Hastings's Defence at the Bar of the House of Commons.

Read, the following Extract from the MS. beginning at Page 237 of the same.

“ When the Nabob so earnestly desired my Sanction for the Resumption of the Jaghires, he certainly had in View only the Begums, and a few others of Magnitude, which he considered protected either by the Guarantee or Favour of the Company : He could not be supposed to ask my Sanction to the Resumption of Grants in which the Company's Faith was by no Means concerned ; but being aware that his Excellency intended a partial Resumption, reserving the Jaghires for his particular Favourites, who, from their Character and Conduct, ought to be the first proscribed, I determined to defeat the Design, by advising him to make the Resumption general ; and he engaged to follow my Advice. The Consequence of this, his Excellency did not, at that Time, advert to ; but when he discovered, that by the Spirit of the Agreement, and my determined Adherence to it, he was precluded from shewing any Partiality ; and moreover, that the Produce of the Jagheers, when resumed, instead of coming immediately into his Possession, was to be appropriated to the Liquidation of his Debt to the Company, for which I expressly stipulated, he became indifferent, and even apparently averse to the Resumption.”

Q. (*by the Counsel.*) Whether the Point of the Nabob's Complaint was not to the Resumption of the Jaghires of his Orderlies, and not those of the Begums ?

A. Not particularly ; I do not recollect he expressed any in particular ; but it was my Opinion it related to the Jaghires of those Orderlies.

(a) Vide supra, Page 141.

Q. (*by the Managers.*) Whether in that Conversation he did or did not expressly object to the Resumption of his Mother's Jaghires?

A. I believe he objected to the Measure altogether.

Q. Can you or not recollect whether Part of that Objection did not expressly point to the Resumption of his Mother's Jaghires?

A. It is very possible it might; that was the most considerable and the First Jaghire that was brought under Discussion.

Q. Did he, or did he not; or do you recollect any Thing about it?

A. I recollect his Objection was general; possibly the Objection was made upon the Proposal to resume the Begum's Jaghires.

Q. (*by a Lord.*) Upon Recollection, whether it was pointed to the Resumption of his Mother's Jaghire?

A. I believe I have said, that it was proposed to resume the Mother's Jaghire; that was the principal one, and upon that it arose.

Q. (*by the Managers.*) Whether Captain Gordon did not apply for £. 3000, or some other great Sum of Money, on account of the Loss of his Baggage, by the Means of Shumsheer Khan?

A. I recollect he did make a Claim of that Sort.

Q. Was that Claim allowed?

A. It was.

Q. (*by a Lord.*) I think you said the Nabob was very reluctant to sign the Treaty of Chunar; how could he be reluctant to sign the Treaty, if every Article of it was proposed by himself?

A. The Nabob's Reluctance was to signing his Part; those Parts Mr. Hastings signed had been of the Nabob's own proposing.

Q. (*by the Managers.*) Was you present at the Time when the Nabob made the Proposal for resuming the Jaghires?

A. I was present when the Nabob delivered his Requisitions to Mr. Hastings, upon which the Treaty was formed.

Q. Was you present at the Time when he first delivered that Treaty, or made any original Proposition upon the Subject?

A. I was present when the first Propositions were delivered in Writing to Mr. Hastings.

Q. Whether you was present at the first Proposition made by the Nabob for the Resumption of the Jaghires, whether in Writing or not?

A. I have before informed your Lordships, that I was present when the first Proposition was made, which was in Writing.

Q. Do you know that that was the first Proposition made?

A. I have Reason to believe it was; I have no Doubt but it was.

Q. When you supplied Instructions for making Mr. Hastings's Defence, had you perused the Affidavits which were taken at Lucknow, and the Allegations of Mr. Hastings upon that Subject, in his Narrative of this Transaction?

A. I cannot say I had just at that Time: I have no Doubt, in a Course of Years, I have perused all the Affidavits, as well as the whole Narrative.

Q. Was you present on the 11th or 12th September, in the first Conference between Mr. Hastings and the Nabob, upon the Nabob's coming from Lucknow to Chunar?

A. I believe I was present at the first Meeting they had.

Q. Were you present at all?

A. I don't believe I was at all.

Q. When you informed Mr. Hastings of the Nabob's Objection to the Resumption of the Jaghires, did he, in Answer, appeal to your own personal Knowledge, of the Proposition being originally made by the Nabob?

A. I must beg to refer your Lordships to the Letter Mr. Hastings wrote upon that Subject.

Q. Besides that Letter, did he ever make such Representation?

A. No.

The Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

Die Martis, 6° Maij 1788.

TH E Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons acquainted the House they would now proceed to lay before them the first Traces they could discover of the Conspiracy formed against the Princesses of Oude, and the first Determination of Mr. Hastings to accuse them, in order to possess himself of their Treasures; preparatory to which, they would shew the avowed Motives upon which Mr. Hastings set out from Calcutta.

Read, the following Extract of the Benaris Narrative, Calcutta Edition, beginning at Page 12 of the same.

“ I will suppose for a Moment that I have erred, that I have acted with an unwarranted Rigour towards Cheit Sing, and even with Injustice. Let my Motive be consulted. I left Calcutta impressed with the Belief, that extraordinary Means were necessary, and those exerted with a strong Hand, to preserve the Company's Interests from sinking under the accumulated Weight which oppressed them. I saw a political Necessity for curbing the overgrown Power of a great Member of their Dominion, and making it contribute to the Relief of their pressing Exigencies (a).”

Read, also, from the same Book, P. 7.

“ It was reported, that he had inherited a vast Mass of Wealth from his Father Bulwant Sing, which he had secured in the Two strong Fortresses of Bidjeygur and Lutteefpoor, and made yearly Additions to it (b).”

Read, also, from the same Book, P. 45.

“ It is credibly affirmed, that he inherited from his Father, Bulwant Sing, a complete Crore of Rupees; to which, it is believed, that he made considerable Additions (c).”

Read, from Book 17, already delivered in, Extract of a Letter from the Governor General to Major Popham, signed Warren Hastings, and dated Chunar, 14th November 1781, beginning at Page 24 of the said Book.

“ The Subject on which I am now to write is a very disagreeable and painful One to me, but indispensable. I have received Information which, though private, is certainly authentic, that you have already distributed One Dividend of the Treasure found in Bidjii Gur, amongst the Officers and Troops on the Spot. If this be true, I am very sorry for it, as, on many Considerations, it appears to me that such Distribution is premature. I apprehend that it is a Proposition not to be disputed, that every Thing acquired by the Arms of a State belongs to the State which employed those Arms. By Charters and Acts of Parliament, the sole Right to all Conquests or Captures made by the Company's Arms were vested in the Company. It was however my Intention to have used my utmost Authority and Influence to have obtained for the Troops engaged in the Service against Cheit Sing, the whole Booty which might be found in Bidjygur and other Places. I regarded it as the due Reward of their Services, and Recompence of their Sufferings, but I never meant that they should seize it and scramble for it. Besides, if the actual Right was in the Army, at a Time like this, when the Exigencies of the Company are so great, surely they might have expected to have benefited by the immediate Use of it as a Loan. I had, I must own,

(a) Vide supra, Page 514, Par. 3.

(b) Vide supra, Page 112, Line 20.

(c) Vide supra, Page 127, Line 23.

such Confidence in your Discretion, that I did expect, if the Treasure found in the Fort should prove very considerable, you would not have proceeded to any Distribution of it, until you had reported the Amount to the Board, and obtained their Sanction for appropriating it to the Troops, or at least that you would have represented it to me, as I am so near you.

[Signed at the End]

“ Warren Hastings (a).”

Then the Managers for the Commons desired Sir Elijah Impey might be called in.

Accordingly Sir ELIJAH IMPEY was again called, and examined as follows:

Q. What Time did you see Mr. Hastings after the Troubles of Benares?

A. I believe it was the latter End of October, or the Beginning of November. I am not quite sure whether it was not late in November; the Date I am not certain of.

Q. Was it after or before the Capture of Bidjeygur?

A. Before the Capture of Bidjeygur.

Q. Where was it you saw Mr. Hastings?

A. At Benares.

Q. Did you receive Instructions from Mr. Hastings at that Time, relative to Depositions which were to be taken by you at Lucknow?

A. I do not know I ever received any Instructions whatever from Mr. Hastings, about taking Affidavits.

Q. Did you receive a Letter at that Time from Mr. Hastings, which you was to deliver to Mr. Middleton?

A. Not upon my first going to Benares; I believe a Week at least had intervened, and I was at Chunar when I received a Copy of a Letter, which I was to carry to Mr. Middleton, the Governor having before sent an original Letter to him.

Q. I understand you received this Letter at Chunar, a Week after you had been with Mr. Hastings?

A. I believe thereabouts; I cannot be precise as to the Time; it might be more, it might be less than a Week; but I had been some Days with Mr. Hastings.

Q. And at Chunar?

A. At Chunar.

Q. Was it a Duplicate of a Letter?

A. It was a Duplicate of a Letter, merely that I might know what Mr. Hastings had written to Mr. Middleton.

Q. Do you recollect whether this was after the Capture of Bidjeygur?

A. I believe this was after the Capture of Bidjeygur; I think it was, as well as I can recollect. I was with Mr. Hastings before the Capture of Bidjeygur; but I believe this was subsequent to the Capture of Bidjeygur. I arrived at Lucknow, I think, the 25th of November. I believe I was Four Days going, and I received the Letter the Day before I set out from Chunar; so that if the Date of the Capture of Bidjeygur can be fixed, that will ascertain whether it was before or after the Capture of Bidjeygur.

Q. Then you received it about the 20th of November?

A. I fancy thereabouts; I kept no Memorandum, and therefore I am not accurate as to the Date.

Q. Was it the Day after the Letter to Major Popham was sent?

A. The Letter had been before sent by Mr. Hastings; I believe the Date of the Letter to Mr. Middleton will not ascertain the Time I received the Copy.

Q. Did you receive no Notes nor written Instructions from Mr. Hastings besides that Letter?

A. I had very short Memorandums besides that Letter, but not with respect to the Affidavits. They had no Relation whatever to the Affidavits.

Q. Do you mean to say you had no Conversation with Mr. Hastings respecting those Affidavits which were to be taken at Lucknow?

A. I do not mean to say I had no Conversation: I said I had no Notes of any Thing relative to taking the Affidavits; I had Conversations with Mr. Hastings upon that Subject.

Q. Did you settle the Form of a Caption for those Affidavits enclosed in a Letter to Mr. Middleton?

(a) Vide supra, Page 284, Par. the last.

A. The Form of the Caption which I settled was this : Such a Person deposed before Sir Elijah Impey ; that is, the Whole of the Caption, or Words to that Effect : That I suppose to be meant by the Caption of the Affidavits.

Q. Was that sent in a Letter to Mr. Middleton ?

A. I believe it was sent in a Letter to Mr. Middleton, because the Copy of the Letter that I had, acquainted Mr. Middleton it had been so sent.

Q. Had you not Instructions respecting the Manner in which the Affidavits or Depositions of the native Witnesses were to be taken ?

A. None that I recollect ; I rather gave Instructions for taking the Affidavits, than received them.

Q. In settling the Caption of these Affidavits, were these Words suggested by you, that they were taken before Sir Elijah Impey Knight, &c. Chief Justice of the Supreme Court of Judicature at Fort William in Bengal ?

A. I believe they were. If that is the Caption of the Affidavits, I have no Doubt it is the Caption that was settled by me.

Q. Did you consider your Jurisdiction as extending to the Province of Oude ?

A. Undoubtedly not.

Q. Upon what Circumstance did you think it a justifiable Measure for you to proceed to Lucknow to take those Depositions ?

A. I had no Idea it was an unjustifiable Measure ; when it is pointed out to me how it is unjustifiable I will endeavour to give an Answer to the Question.

Q. What induced you to go to Lucknow upon this Business ?

A. Mr. Hastings was about writing a Narrative of the Proceedings at Banares ; I did it for the Purpose of authenticating to the English Nation the Facts in the Banares Narrative. I thought from my Situation, though my Jurisdiction did not extend to the Provinces, that Affidavits taken by me would have a greater Weight than Affidavits taken by any common Person : I thought it my Duty, both to give all the Assistance I could to the Governor General, the Person charged with the English Affairs, and likewise, as far as I could, to authenticate to the English Nation what the Situation of those Affairs was ; whether that is justifiable, or unjustifiable, I must submit to the Determination of the Lords.

Q. Did the Object of your Journey to Lucknow relate only to Matters of Justification of past Events, or to lay a Ground for future Proceedings ?

A. It was to authenticate past Events, without any View of Justification ; it had nothing in my Mind to do with future Measures.

Q. What was the Subject of those short Notes or Memorandums which you say you received from Mr. Hastings ?

A. It regarded Fyzoola Cawn : and a Gentleman of the Name of Bathurst : there was a Memorandum of a Communication that I was to make to Mr. Middleton, of what had passed in Conversation between Mr. Hastings and me, relative to the Begums : that is as much as I can remember of it ; but they had nothing to do with the Affidavits.

Q. Have you those Memorandums ?

A. I have not the Memorandums. I had a Summons from the House of Commons, which I attended, and was ordered to bring all my Papers relative to the Article of Mr. Hastings concerning the Begums, which I then produced to the House of Commons : I have no Papers but what I there produced. I produced before the House of Commons two short Memorandums which had been delivered to me by Mr. Middleton ; those I believe were in answer to the short Memorandums I carried with me to Lucknow. The House of Commons thought they were not material, and delivered them back—I believe I have them now, and am ready to deliver them, if they can give any Information.

Q. You have said, that one of those Notes or Memorandums related to the Begums—what do you mean by related to the Begums ?

A. It related to a Conversation I had with Mr. Hastings, relative to the seizing of the Treasures of the Begums.

Q. Was not that a Measure to be done ?

A. That was a Measure upon which I understood the Nabob Vizier was to be consulted.

Q. Did you consider that as a future Measure, or as a Matter of Justification ?

A. Undoubtedly a future Measure ; and as far as that goes, these Memorandums had a Relation to future Measures.

Q. Then your Journey to Lucknow did relate to future Measures, and not solely to the Justification of the Past ?

A. When

A. When I spoke of what related to future Measures, I meant the Affidavits, and I believe the Question put to me was, whether the Affidavits related to future Measures; my Answer was meant to relate to the Affidavits, not to my Journey; my Journey undoubtedly had to do with future Measures; it was the chief Object of my Journey to Lucknow.

Q. As the chief Object of your Journey related to the Measure against the Begums, whether the Affidavits did not also relate to the Begums, and whether they were not also a Ground of future Proceedings—was your chief Object relative to the Begums?

A. Not the Begums only, but other Matters relative to the Treaty of Chunar. The Purport of my Intention to take the Affidavits, was simply to authenticate the Facts relative to the Benares Revolution. What the Affidavits contained I did not know; nor do I know at present, for I have never read them.

Q. I understood you to have said, the “chief” Object of your Journey did relate to the Measure of seizing the Begums Treasures?

Here the Evidence was read over by the Clerk, from Page 623, Line 22, *supra*.

Then the following Question was put to the Witness:

Q. Was the chief Object of your Journey future Measures?

A. If I may be permitted, I will acquaint the House of the Whole of my Object, and the Cause of my Journey to Lucknow.

Q. Have you any Doubt about your having made that Answer?

A. What Answer?

Q. That the chief Object of your Journey was future Measures?

A. Of my Journey to Lucknow, undoubtedly it was.

Q. Proceed with the Explanation of the Object of your Journey to Lucknow.

A. Mr. Hastings had acquainted me, that he was at that Time writing a Narrative of the Proceedings of the Revolution at Benares; he acquainted me with the main Circumstances. I then told him, that, as he was a Party so much engaged in the Event, and the Disposition of those in Power at that Time in England, was not favourable to him, I doubted whether his single Narrative would gain complete Credit to the Facts which he asserted; I therefore advised him to authenticate those Facts as strongly as he possibly could. The only Means of doing it that suggested themselves to me were, the having them verified by Affidavit. He then asked how it was to be done, and demanded of me whether I would take such Affidavits, to which I assented. It was at first proposed, that I should proceed to Illahabad, as a central Place to which the several Witnesses might more easily come to me, to make their several Affidavits; but, in the Course of that Conversation, Mr. Hastings having described the Begums as being in actual Rebellion, I told Mr. Hastings that, if that was the Fact, I thought their Intervention was an Offence to the Government of the Nabob, and that he had a most undoubted Right of seizing the Treasure of those Persons, who were employing them against his State. Mr. Hastings had told me, that he thought the Welfare of the Country committed to his Charge, and his own Reputation, depended upon the Treaty of Chunar being carried strictly into Execution; that he was apprehensive the Mildness of Mr. Middleton's Temper would prevent him from urging the Nabob effectually to carry it into Execution; he therefore proposed to me, instead of going to Illahabad, where it was first intended, that I should go to Lucknow; and, besides taking the Affidavits, I was to acquaint Mr. Middleton with the Conversation that had passed between Mr. Hastings and me, with regard to the Begums, and urge him to see the Treaty of Chunar carried into Execution. That was the Occasion of my going to Lucknow. To Lucknow I should not have gone merely for the Purpose of taking the Affidavits; for that Purpose I should have proceeded no further than Illahabad.

Q. Was the seizing of the Treasures of the Begums any Part of the Treaty of Chunar?

A. I believe not.

Q. What Communication did you make to Mr. Middleton, respecting the seizing of the Treasure of the Begums?

A. I related to Mr. Middleton the Conversation I had with Mr. Hastings, and acquainted him that Mr. Hastings was inclined to that Measure, and I believe desired he would consult the Nabob upon it.—My communicating of the Conversation between Mr. Hastings and me was with an Intent that Mr. Middleton should consult the Nabob upon it.

Q. Did you communicate to Mr. Middleton it was Mr. Hastings's Pleasure, that they should seize the Treasure of the Begums?

A. By no Means in such Terms: I did what I had undertaken to do, which was to relate to Mr. Middleton what had passed between Mr. Hastings and me, for the Purpose of his consulting the Nabob upon the Subject; but gave no Directions from Mr. Hastings, that it was his Will it should be so.

Q. Whether you was not examined before a Committee of the House of Commons?

A. I was.

Q. Whether you recollect the Substance of your Answer to this Question. In a Letter of the 6th of December 1781, from Mr. Middleton to Mr. Hastings, there is this Sentence; "Your Pleasure respecting the Begums I have learnt from Sir Elijah Impey, and the Measure heretofore proposed will soon follow the Resumption of the Jaghires:" to whom do these Words, "heretofore proposed," refer?—Do you recollect the Substance of your Answer to the House of Commons?

A. I really do not.

Q. Do you recollect whether your Answer was, "By hearing the Letter read, I referred to a Proposal by Mr. Hastings through me to Mr. Middleton?"

A. I certainly do remember that Answer; but I believe, if the Whole of my Evidence is taken together, it will appear I gave it there the same as I do now; that I related to Mr. Middleton what had passed between Mr. Hastings and me, and that Mr. Hastings seemed to assent to the Proposition, that it was right the Begums' Treasure should be seized; but I carried no Directions from Mr. Hastings, that it was his Will to have it so done.

The Counsel for the Defendant objected to this Mode of Examination.

The Managers for the Commons stated, that they had not waived their Right to examine the Witnesses they called to what they had said in another Place.

The Witness desired the Answer might stand.

Q. Did you understand that you conveyed more than Mr. Hastings's Consent to the Nabob's resuming of the Jaghires, namely, that you understood it was the Intention of Mr. Hastings that Mr. Middleton should recommend it to the Nabob as a Measure?

A. I still think that it was Mr. Hastings's Intention that it should be recommended to the Nabob as a Measure, and that I meant by, his consulting the Nabob upon the Subject: I do not make use of the same Words, but to exactly the same Purpose; I should have considered the mere consulting the Nabob upon the Subject, if it was not the Intention of Mr. Hastings to recommend it, as merely nugatory.

Q. Are we to understand that you communicated to Mr. Middleton, in the Shape of a Conversation, or otherwise, that it was the Pleasure of Mr. Hastings, that he, Mr. Middleton, should recommend this Answer to the Nabob?

A. I certainly meant to convey that Idea.

Q. Do you, or do you not, remember the Words that were used; whether the Words were, to consult the Nabob upon the Subject, or to recommend to the Nabob the Measure?

A. I really do not; I understood it to be a Proposal, and a Recommendation to the Nabob, undoubtedly.

The last Question and Answer were read over by the Clerk.

Then the following Question was put to the Witness:

Q. Was it a Part of the Communication, that the Measure of seizing the Begum's Treasure should afterwards come in the Shape of an original Proposal from the Nabob?

A. Certainly not; I would not have undertaken such a Commission.

Q. When did you hold that Conversation with Mr. Middleton, in Consequence of this Direction from Mr. Hastings?

A. I was met by a very large Party, that encamped about Twenty Miles on this Side of Lucknow, between Illahabad and Lucknow; and I proceeded in Mr. Middleton's Chariot to Lucknow: The next Morning, in that Chariot, in my Way to Lucknow, I made this Communication.

Q. How soon after this Communication of Mr. Hastings's Pleasure, that the Begum's Treasure should be seized, did you begin to take Affidavits and Depositions?

A. I went to Lucknow for the Purpose of taking the Affidavits, and as soon as any Body came to make an Affidavit, I took it immediately: I believe I dispatched the Bufinets as fast as I could, to get away from it.

Q. Did not you understand what the Subject was, which those People were deposing to?

A. Some of them I did: By Conversation with English Gentlemen, I knew what they deposed; what the Natives deposed, I did not know.

Q. Who was it that told the Persons who were making the Depositions, what it was they were to depose to, or about?

A. Nothing was told in my Presence. I believe every Affidavit I took was drawn before I saw it. I believe Mr. Middleton, in consequence of a Letter Mr. Hastings wrote to him, had communicated

municated the Subject Matter of what they were to depose to: I observed by that Letter it was either to refute or ascertain the Facts relative to the Benares Business.

Q. You say, you believe Mr. Middleton did that?

A. I believe he did; I apprehend Mr. Middleton did, because the Governor General had sent a Letter to Mr. Middleton on the Subject before; and I do not know he wrote to any Body else. If that Letter was read, it would ascertain very clearly what was Mr. Hastings's Intention with regard to taking the Affidavits.

Q. In what Manner were the Deponents brought before you?

A. I do not know they were brought at all; they appeared to me to come voluntarily: I do not know there was any Body who deposed that could properly be said to be brought, if, by the Word "brought," is meant Compulsion.

Q. The Question is only in what Manner they came; you was in the Room?

A. Part of the Affidavits taken at Lucknow, I believe, were taken in the House in which I lodged; in the House of a Colonel Martin: Other Parts were taken in the Tent of Colonel Hannay, with whom I had dined; after Dinner I took the Affidavits of Colonel Hannay and some other English Gentlemen that were there.

Q. Were the Affidavits read to you, or by you, before they were sworn to?

A. They were neither read to me, or by me, when they were sworn to, or since.

Q. Were they read to the Deponents that were sworn?

A. They were all brought by the People themselves who swore them.

Q. And not read in your Presence?

A. Not read in my Presence.

Q. What Reason have you to know those Affidavits were ever read by, or to, the Persons who swore them?

A. Several of the Persons, I am sure, brought the Papers themselves: I could not apprehend that the People who brought them had not read them.

Q. But you do not know they were read?

A. When I say I don't know they were read,—a great Multitude of Affidavits were taken. I remember one that was taken in French. I remember that being read, by the Circumstance of its being a French Affidavit; some of them might be read, but I don't recollect particularly that any were; I took them in the ordinary Course in which I have ever taken Affidavits.

Q. You say a great Multitude of Affidavits were taken; what Number did you take at Lucknow?

A. I cannot form the most distant Guess. When I speak of Affidavits taken at Lucknow, I mean all the Affidavits which I took relative to this Subject; I do not believe there were a great Number taken at Lucknow, as well as I can recollect; but they are in the Appendix, I understand, to Mr. Hastings's Narrative, and by that it will appear what were taken at Lucknow, and what were taken at other Places. I cannot pretend to charge my Memory with it: If the Gentlemen will let me have the Book before me from which they examine, I then shall, from that, guess tolerably well what the Number was; but in a Transaction so many Years ago, if the Gentlemen Managers examine me from a Book, and expect my Memory to tally with that Book, they have a better Opinion of my Memory than I have of it myself; and indeed I am more cautious in my answering in that Manner to the Book, because in my Examination before the Commons, I was led to answer the Gentlemen that examined, they putting the Questions to me that made me think the Facts were as they ought to have been, from the Questions put to me: I estimated in that Manner; for Instance, I was examined in the House of Commons whether there was any Interpreter sworn at the Time of taking the Affidavits at Lucknow; my Answer was, that I did not absolutely remember an Interpreter being sworn, but that I had no Doubt an Interpreter was sworn, because I was sure I should not have taken the Affidavits except he had been sworn: The Gentleman who had the Book in his Hand knew very well that no Interpreter was sworn, because the Affidavits in fact were not interpreted: I was misled by the Form of the Question to make an Answer in that Manner; and so I may again.

Q. Do you recollect in whose House the French Affidavit was taken?

A. As to the Affidavit, whether it was taken in French, or was translated into English, I cannot tell; but a Frenchman made the Deposition at Chunar; possibly the Affidavit is not in French: if I had the Book before me, I could certainly tell whether it was or was not.

Q. Whether some of the Persons who deposed before you, did not set their Mark, instead of any Signature, to their Depositions?

A. I have no Recollection of it, but it very probably was so; very few of the Natives, of the common People, do write.

Q. Had you any Reason to know that those Persons who could not write could read ?

A. I do not know.

Q. Had you any Reason to suppose it ?

A. I had no Reason to suppose that they could or that they could not.

Q. When you found they could not write, why did you not call for their Depositions to be read and explained to them in your Presence, before you suffered them to swear ?

A. I took them as I should any Affidavits in my judicial Capacity ; if brought to me by my Clerk or those in whom I had Confidence, I should certainly take the Affidavit without doing it.

Q. Whether you mean to assert that you have no Knowledge whatever of the Matter, and the Purport of these Affidavits, whether in English or in the native Language ?

A. I mean to be understood, that I understood the Affidavits which were taken at Lucknow were upon the Subject-matter on which Mr. Hastings had written to Mr. Middleton ; but I mean likewise to be understood, that I did not know, nor do I now know, what any particular Affidavit contained.

Q. Had you any Conversation with Mr. Middleton respecting these Affidavits at the Time ?

A. I very probably had ; it is natural I should ; but I have not the least Recollection whether I had or not.

Q. Had you not a Copy of Mr. Hastings's Letter to Mr. Middleton at that Time ?

A. I have said that I had.

Q. Did you read that Letter ?

A. I have read that Letter.

Q. Did you observe in it, that as to certain Persons who were to depose upon Oath before you, Mr. Middleton is directed " to obtain such Evidence as can be required relative to those Points, " whether such Evidence shall ascertain, or refute, or qualify their Reality (a)." ?

A. I believe there was such a Passage in the Letter.

Q. Do you remember that Passage ?

A. Yes, I do remember it.

Q. By what Means was you to know whether these Affidavits tended to ascertain, refute, or qualify the Reality of those Points, if you was totally ignorant of the Contents of the Affidavits ?

A. I do not know they were Instructions to Mr. Middleton ; they were no Instructions to me.

Q. For what Purpose was the Copy of that Letter put into your Hands ?

A. That I might know what Instructions Mr. Hastings had given to Mr. Middleton, from whence I was to expect, that no Affidavits, no Depositions, would be offered to me, but what related to those Matters.

Q. What do you mean by those Matters ?

A. The Matters contained in the Letter written to Mr. Middleton ; I was by that Means to know what was the Nature of the Affidavits that were to be taken before me.

Q. Did you not consider the Letter as a Guide, and Instruction for your Conduct ?

A. By no Means, I never had the least Idea of it.

Q. Did you not consider the Letter as informing Mr. Middleton of the Object of your Mission to Lucknow ?

A. I certainly did ; I have said so.

Q. Does the Letter state any other Object besides the taking of the Depositions respecting the suspected Conduct of the Begums ?

A. I really cannot tell ; for that Purpose I must beg Leave to refer to the Letter ; I rather believe it does, but I cannot say I recollect.

Q. Did you make any Inquiry or any Examination of any Sort respecting the Conduct of the Begums, further than receiving those Affidavits ?

A. I made myself no Party to the Business ; I understood myself to be a mere Instrument to verify Facts ; I made no Examination whatever.

Q. While you was at Lucknow did you make any Examination or Inquiry, to satisfy your own Mind, with respect to the Innocence or Guilt of the Begums ?

A. I remember One Circumstance, if it may be called an Examination, that having prosecuted my Journey through Illahabad, I had a Desire, for the Purpose of seeing the Country, to return to Chunar through Fyzabad : I was told by every Body there I could not take that Route, because the Country was not quieted from the Rebellion of the Begums : I do not know that I made any particular Examination ; when I was at Chunar I understood it to be a Fact as clearly ascertained as I believe it was in London, in the Year 1745, that there was a Rebellion in the North.

Q. Did Fyzabad lie in your Road from Lucknow to Benares?

A. If I returned by Illahabad it did not; but that Part of the Country which I went through is I believe the most disagreeable Tract in the whole Country of Oude; I had a Desire, being in those Parts, to see more of the Country; it certainly would have been a larger Circuit to have returned by the Way of Fyzabad, but I believe it is by no Means an uncommon Route.

Q. Did you see the Nabob while you was at Lucknow?

A. I did.

Q. Had you any Conversation with the Nabob, or his Ministers, respecting this Rebellion of the Begums?

A. Not a Word.

Q. Did you abstain from ever mentioning that Circumstance to either of them, from any Motive of Delicacy, or from what Motive?

A. I do not know that I did abstain from it from any Motive of Delicacy; but I at present think I should do it, if I were now in that Country, under the same Circumstances.

Q. Were not those Persons who were brought to depose before you, brought as Persons who were to confirm the Accusations against the Begums?

A. They were not so introduced to me; whether it related particularly to the Begums or to the Transactions at Benares, I did not know.

Q. Was not the Object for which you was sent to Lucknow, to obtain Evidence, either to confirm or to refute the Charge against the Begums?

A. I understood the Object of my going to Lucknow, so far as it related to the Affidavits, to be merely for the Purpose of verifying the Facts which were stated, or were to be stated, as Mr. Hastings was then writing his Benares Narrative; not particularly for the Purpose of vindicating or impeaching the Begums.

Q. Have you not acknowledged to have read Mr. Hastings's Instructions, in which it was expressly stated, the Object of your Journey was to obtain Evidence, whether it was intended to refute or confirm the Charges against the Begums?

A. I should be extremely glad if the Letter itself was read; for I am now examined in the Dark. I still believe, when the Letter is read, it will not be found to relate to the Begums only.

Q. The Question is not, whether it was confined to the Begums only; but whether it was to collect such Evidence as should ascertain or refute, or qualify, the Reality? You have now repeated, that you considered the Object of your Journey was the Affidavits to be taken, as a Means of Justification of what was to be written in Mr. Hastings's Narrative, or what you call Facts to be established; and then you state, that the Ground of seizing the Treasures was not the only Object: Now Mr. Hastings had not, in November, given an Account of the Transactions; for, till the January following, he had not written that Account; therefore, at that Time at least, it was not meant to be so stated?

A. I now understand the Tendency of the Question, and am able to give a direct Answer; and that is, that the Affidavits were not taken by me with any View whatever to justify the Measure of seizing the Treasures of the Begums; they were not taken with the least View towards justifying the seizing of the Treasures of the Begums.

Q. How do you know with what View they were taken, when you never told the Deponents what they were to depose to, nor ever read to them the Affidavits?

A. I do not speak to the View with which the Witnesses deposed, but to the View with which I took the Affidavits; and, if it is as I take it, to the View which I understood Mr. Hastings had in having them taken; that View now, upon my Oath, I positively deny.

Q. Then do you remember this Passage in the Copy of the Letter, which contained the Instructions you received: "These are Facts of such Moment to the Publick Service, and so necessary both to the Means which may be required for our future Preservation, and to the Justification of what has passed, and to what may be done to the same End, that I think it proper they should be verified in the most authentic and sacred Manner (a)." Is not that Passage in the Letter?

A. I take it for granted it is in the Letter, as the Honourable Manager reads it from the Letter; and something to that Purpose I recollect.

Q. Then were not those Affidavits to be the Ground of what was to be done to the same End; what did you understand from that Passage?

A. I did not understand that Passage to be pointed, that they were meant as a Justification of the seizing of the Begums Treasures; I did not then understand it, nor do I now understand it so. The Letter will be before your Lordships.

(a) Vide the Letter infra, Page 630.

Q. Did you ever communicate to the Begums, or any Persons upon their Parts, the Purpose and Object of your Journey to Lucknow?

A. I never did, nor did it ever enter into my Mind to do so.

Q. Then by what Means were they to have an Opportunity of refuting the Charges against them?

A. I did not understand these to be Charges made against them, which they would have been, if they had been for a Justification of seizing their Treasures. I understood it merely to be, as I have said before, to authenticate the Facts in Mr. Hastings's Narrative, and I had no Idea there was any Occasion for them to have an Opportunity of refuting them: I was not trying a Question upon Affidavits, I had no Authority to do it, nor should I ever have undertaken to do so; these were Affidavits meant to be sent to England, and to be used only in England, and therefore could have nothing to do with the Justification of seizing the Treasures of the Begums upon the Spot, in any judicial Proceeding there, or as Information to the Nabob.

Q. Then am I now to understand, that the Object of your Journey was merely to gather Matter of Accusation in Defence of Mr. Hastings, and not any Matter of Exculpation of the Begums?

A. I desire to be understood as going to ascertain the Facts in Mr. Hastings's Narrative, not for the Purpose of any Defence of him, and certainly with no Intention to collect Matter of Exculpation respecting the Begums, whom I did not understand I went to charge.

Q. You have stated, that you advised Mr. Hastings, and thought it material, that he should have Affidavits to ascertain the Facts relative to the Benares Insurrection; why did not you think it equally material he should have the same Sort of Testimony, to ascertain the Facts relative to the supposed Rebellion of the Begums?

A. I understood from Mr. Hastings, that the Account of the Rebellion of the Begums was to form a Part of his Narrative; I therefore did think it was necessary Mr. Hastings should authenticate that Rebellion as well as any other Fact. I hope I have not said, that I did not think it was necessary for Mr. Hastings, if he had asserted it as a Fact, in the Benares Narrative, that the Begums were in Rebellion, that he should not get the Facts verified as to that Point.

Q. Then you was aware of the Object of the Affidavits?

A. I was aware of the general Tendency, and of that Fact amongst the rest.

Q. I understand you then to say, you was aware that the general Tendency of the Affidavit was, to confirm the Suspicions or Accusations against the Begums?

A. I did not mean that; nor did I say that the general Tendency was to authenticate the Facts in Mr. Hastings's Narrative, and this Fact amongst the rest; that it was not the only or the principal Fact, but was one Fact amongst many.

Q. Have you read the Narrative?

A. I have not.

Q. Then how do you know what is contained in the Narrative?

A. Because Mr. Hastings had given me an Account of what passed at Benares, and I believed that his Narrative would comprise what he had told me in Conversation. Mr. Hastings, after he had written his Narrative, gave me a Copy of it; a Gentleman of the Name of Charters, borrowed it of me the next Day, and I never saw it afterwards.

Q. Was not the Narrative published at Calcutta?

A. I believe it was not published; it was printed at Calcutta, I believe for Mr. Hastings's Use; I do not believe they were put to Sale; they might have been, but I do not know.

Q. Whether Mr. Hastings shewed you any Part of the Papers which he was writing, afterwards called his Narrative, when you saw him at Chunar?

A. I think I recollect Mr. Hastings having the Papers before him, but I do not recollect his having read any to me, or put the Papers into my Hands.

Q. Did you understand from Mr. Hastings, that the Accusation against the Begums of Rebellion, was a Part of that Narrative?

A. At the Time he was talking of writing his Narrative, in the same Conversation he mentioned to me the Begums being in Rebellion; I do not recollect his specifically saying that was Part of his Narrative, but I expected it to be Part of it, as it was consequential of the Benares Insurrection.

Q. I ask as to the Fact, How did Mr. Hastings state it to you? you say you understood those Affidavits to be taken to justify the Matters contained in the Narrative, did you understand the Narrative contained an Account of the Rebellion of the Begums, as well as an Account of the Benares Insurrection?

A. That Narrative was not then completed; I did understand it would be included in the Narrative; and I now do not know whether it is or is not?

Q. Whether this Accusation, which you conceived was to be a Part of the Narrative, was so to stand in the Narrative, be the Event what it would, of your Journey to Lucknow?

A. No; I expected it would be in the Narrative, and till I was now informed, it was not, I thought, it had been there.

Q. If it was not to depend upon the Information that you was to receive at Lucknow, what did you comprehend or understand by that Part of Mr. Hastings's Instructions to Mr. Middleton, that you was to take the Evidence, whether it tended to refute or establish the Charges against them?

A. If I had the Letter put into my Hand, and was suffered to read the Whole of the Letter, I would put such a Construction upon it as strikes me at present; but I really do not know what Construction to put upon a Part of the Letter, without knowing the Whole, without seeing the Context. I believe it is necessary for me to read the Letter to your Lordships, and then I believe your Lordships will be able to put as good a Construction upon it as I can.

The Letter was shewn to the Witness, after which he proceeded as follows:

A. I find the Letter turns out to be as I suspected it was; it is not confined to the Affairs of the Begums only.

Then the Letter was delivered in, and read by the Clerk as follows:

“ To Mr. Nathaniel Middleton, Lucknow.

“ Sir,

“ Chunar, 15th Nov. 1781.

“ In your Letter, dated the 17th Oct. I find it generally asserted, by Lieutenant Colonel Hannay, in the Extracts quoted from his Letters, and confirmed by yourself, that, during the late Revolt of this Province, Levies, both of Horse and Foot, were openly made at Fyzabad, both by the Begums and by Cheyt Sing's Agents, in his Name and for his Use; that these Levies were dispatched to Benaris, publicly as his, One Party of 1000 Horse and Foot, under the Command of Shake Cawn: That Jewar Ally Cawn, in the Chowk of Fyzabad, asked every Man who bore the Appearance of a Soldier, Why he went not to Cheyt Sing for Service: That Futteh Sah, Ghunooroy, and Ajeet Mul, had crossed to Majowley, urged to that Step by Cheyt Sing, who had supplied them with Money, and promised them great Sums, if they would but put the whole Country into Confusion: That the principal Zemindars had all Certificates under the Seal of Cheyt Sing, that he would supply them with whatever Money they might require for subsisting all the Troops they could raise; that it was the general Belief of every Man in that Part of the Country, that it was a concerted Plan for the Extirpation of the English; that the whole Country, from Goonda to Maujee, and from Fyzabad to the Benaris District, and across from the Gogra to the Ganges, was in the utmost Ferment; that if we met with a Check at Benaris, every Man in the Country was ready to fall on our scattered Parties: That the Infurrection was not partial, but generally spread throughout the Whole; and if he (Colonel H.) might trust to his Information, it was already begun, and would soon rage as violently in Shahjehanpoor Rohilcund, Cora, and the Doaub.

“ These are Facts of such Moment to the publick Service, and so necessary both to the Means which may be required for our future Preservation, and to the Justification of what has passed, and to what may be done to the same End, that I think it proper that they should be verified in the most authentick and sacred Manner; I must therefore request and require of you, in my Name, to call upon Lieutenant Colonel Hannay, Major Macdonald, Captain Williams, and Lieutenant Gordon, and every other Person who may have a personal Knowledge or Understanding of these Facts, or of any others relating to the Rebellion of Cheyt Sing, and its Connections in the Dominions of the Nabob Vizier, severally to depose all that they know and believe concerning the same, either on Oath before Sir Elijah Impey, who will instantly visit Lucknow chiefly with this Intention, or that they repair to me at this Place for the same Purpose.

“ Respecting the Levies made at Fyzabad, the March of Shake Cawn, with a Force declared for the Service of Cheyt Sing, the publick Invitations of Jewar Ally Cawn, the Certificates under the Seal of Cheyt Sing in the Possession of the Zemindars of Goroocpoor and Barraich; his Letters to the Begums or their Ministers; the Plan concerted for the Extirpation of the English, I must earnestly recommend it to you to obtain such Evidence as can be * required respecting each of these Points, whether such Evidence shall ascertain or refute, or qualify their Reality; and, if it be possible, to gain Possession of the original Letters and Certificates, said to have been written by Cheyt Sing as abovesaid.

“ You will be careful to ascertain the Dates and Places of Facts, and the Names and Places and Persons in the Depositions taken, that their Evidence may not be defective or ambiguous from the Want of Precision.

† See in Orig. “ Respecting the Murders said said † to have been committed at Goopeegeunge, I have already written to you, and now send you a Duplicate of my Letter on that Subject.

“ I also send you the Form of a Caption or Introduction to each Deposition, of which you will be pleased to furnish Copies to each of the English Gentlemen, who shall have Occasion for the Use

Use of them. The Depositions of the native Witnesses must be written in the Language which they understood, and must be verified on Oath, and signed; or if they shall object to the Oath as contrary to their religious Tenets, they must be required to subscribe such a solemn Attestation as shall be equivalent to the Sanction of an Oath, and add your Signatures to it.

"I am, Sir,

Your most obedient Servant,

Warren Hastings."

Then the Witness proceeded as follows:

A. I am desired to give my Construction of this Passage, "Whether such Evidence shall ascertain, or refute, or qualify their Reality?" I understand by that, the Reality of all the Facts contained in the first Paragraph of the Letter, and it is not entirely confined to the Reality of the Rebellion of the Begums. I was asked another Question as to these Words, "these are Facts of such Moment to the publick Service, and so necessary both to the Means which may be required for our future Preservation, and to the Justification of what has passed, and to what may be done to the same End, that I think it proper that they should be verified in the most authentick and sacred Manner." I do not understand that Passage to relate merely to the Seizure of the Treasures of the Begums, but to such Precautions as should be taken against Dangers that might arise from the Facts related in the preceding Paragraph, of which that Fact relating to the Begums is only one.

Q. The Question is not, whether it related to all the Facts—but how you was to ascertain or refute those Charges, unless by Inquiry, or knowing the Objects to which the People were to depose?

A. I did not understand it to be my Business to refute or ascertain.—The Honourable Manager refers to the Letter of Instructions to Mr. Middleton, who was to produce the Affidavits to refute or ascertain: My Purpose was only to give a Sanction to those Affidavits, let them contain what they would.

Q. You say, you do not know who drew any of those Affidavits?

A. I certainly do not at present. It is not impossible I might at that Time have known; but I have not at present the least Recollection that I then did. I have nothing to trace in my Memory from which I should know who drew the Affidavits.

Q. Who introduced to you the Witnesses that were to depose?

A. I believe that most of the Witnesses were introduced by Mr. Middleton or Mr. Johnson; as well as I can recollect, I had with me no Moonshy, that is, an Interpreter, nor any Servant who could act in that Capacity.

Q. Then, when any Witness was brought to you, without further Questions you received the Paper from him, to the Truth of which that Witness swore?

A. That was, I believe, in general the Manner in which the Affidavits were taken, that Mr. Middleton, or some Gentleman on whom I could rely, brought the Person who wanted to make that Affidavit before me, and the Paper, and I took the Affidavit.

Q. What did you do with the Affidavits after you had got them all?

A. I believe I delivered them to Mr. Hastings.

Q. Where did you deliver them to him; was it at Lucknow?

A. As well as I recollect, I took the Affidavits into my Custody, and delivered them afterwards to Mr. Hastings. When the Affidavits were made, I believe I bundled them up and laid them by, and when I went to Chunar I delivered them to Mr. Hastings.

Q. Did you leave any Copies of them at Lucknow with Mr. Middleton?

A. I certainly left no Copies behind of the Affidavits; whether Mr. Middleton had taken Copies before or after, I do not know. I did no Act of leaving Copies behind; if Copies were left, I do not at present recollect the Circumstance; I am pretty sure I was not applied to for any Copy. I believe, according to the Course of the Country, according to their Manner, there never is an original Paper without a Copy. I believe they always make first a fair Draft, from whence they make the Original; but there are Gentlemen that have been in that Country, who know it better, but I believe that is the constant Manner of the Natives; so that there most probably were Copies left behind.

Q. Did Mr. Middleton ever express himself to you as having ever made any material Discovery by these Affidavits?

A. I do not recollect such a Circumstance.

Q. Did either Colonel Hannay, or Captain Gordon, express themselves to that Purpose?

A. I believe not: In point of Fact, I believe all the Facts, or most of them, were known before, and that these Facts already known were authenticated by Affidavit. That I believe to be the Fact.

Q. Did

Q. Did Hyder Beg the Nabob's Minister make any Deposition before you?

A. I believe he did; but I cannot now speak positively, whether he did or not. I think he did, and I think he did not swear it; as far as I can recollect he did not swear it: The Musselmén of a certain Rank do not chuse to swear.

Q. Had you any Conversation with the Nabob's Minister Hyder Beg, respecting this Rebellion of the Begums?

A. I do not recollect I had; I rather think I had not; and I believe I have before said so.

Q. How came you, when you had been taking the Depositions, the main Object of which related to the Begums, never to mention the Subject to the Nabob, or to his Ministers?

A. I had no Doubt that both the Nabob and his Ministers knew the Fact of my taking Affidavits: With respect to the Nabob, I should have thought it indecent to have moved a Conversation upon that Subject, unless he had himself first began it; with respect to the Minister, I thought if he had chosen to converse with me upon the Subject, he would have done it: It was no Part of my Business to examine at all into the Subject; the main Purpose was, as I have said over and over again, to authenticate such Facts as the several Parties chose to depose before me. I certainly made no Inquiry. I made myself no Party to the Business.

Q. Did the Nabob, or any of his Ministers, never express any Desire to know the Object of your Journey to Lucknow?

A. No; and according to the Etiquette of the Manners of those People, they certainly never would have made any such Inquiry; they would have thought it indecent to have asked me any such Question.

Q. How came you to think it not to be material, to inform them the Object of your Journey related to so serious a Rebellion as you relate to have existed?

A. The Object of my Journey was not simply that; the Object of my Journey, as I before said, was to urge Mr. Middleton to the Execution of the Treaty of Chunar; through Mr. Middleton, that was communicated to the Nabob and his Ministers; they did not converse with me upon the Subject, and I did not think it fit to converse with them, nor had I any Mission to the Nabob or his Ministers; and the Visits paid by me to the Nabob and his Ministers, and by the Nabob and his Ministers to me, were Visits only of Ceremony, not of Business.

Q. Had you, upon your Return to Benares, any, and what, Conversation with Mr. Hastings, respecting the Contents of his Affidavits?

A. I do not know that I had any Conversation with Mr. Hastings upon the Subject. I delivered to him the Affidavits, and told him, I had taken them as he desired, or something to that Purpose: Upon the Subject Matter of the Affidavits, I am pretty confident I had no Conversation with him.

Q. Whether you did not think it extraordinary, Mr. Hastings, who sent you to collect Evidence to refute or ascertain these Charges, should never have spoken to you upon the Accomplishment of your Object?

A. I do not think it at all extraordinary; because if Mr. Hastings had conversed with me upon the Subject, all I could have told him would have been, that there were the Affidavits, and what they contained I could not tell; possibly such a Conversation might have passed; but I certainly could not give Mr. Hastings, at that Time, or at this Time, any Information what those Affidavits contained, whether they did or did not answer his Purpose, and I for that Reason did not think it extraordinary: If I had been to collect the Matter, and to segregate it for the Purpose of Mr. Hastings's Justification, I should have thought it extraordinary, if Mr. Hastings had not inquired how I had done it; but as I went simply to give a Sanction to the Affidavits, and as the Affidavits had that Sanction, I did not think it at all extraordinary, that Mr. Hastings should make no Inquiry about them.

Q. Did you hear, when you came back, that the Rebellion at Fyzabad was over, or still existed?

A. I cannot charge my Memory, whether I had any Conversation upon the Subject or not: I believe the Rebellion was over; but the Country was not at that Time quiet; because, when I was at Lucknow, I was informed it was not. After I came down to Chunar with the Affidavits, I left Mr. Hastings within a Day or Two, if not the next Day; very soon after I came down to Chunar; I do not recollect having any Conversation upon the Matter with Mr. Hastings.

Q. You had no Conversation upon the other Rebellion?

A. I do not recollect that I had.

Q. How did you go attended to Lucknow?

A. Is the Question meant to relate to my own Servants, or to the Attendants that met me upon the Road.

Q. Not to those that met you—how did you go from Chunar?

A. I

A. I went attended by a Surgeon, a Mr. Murchison, and I had one principal Servant with me; and I do not know whether I had above Two or Three others, who are called Hircarrahs; I am not quite sure whether I had them or not. I went with a very few People indeed. I went with great Expedition, travelling Night and Day.

Q. How came you to pass through a Country that was in a State of Rebellion, with such few Attendants?

A. I did not go through a Country that was in a State of Rebellion; I went through a Country as still as from here to Brentford, perfectly quiet.

Q. How near to Fyzabad did you pass?

A. It will appear upon the Map, I believe, a very considerable Distance indeed, as I apprehend; I do not believe I was ever within Fifty Miles of Fyzabad, or a great Deal more; I believe the Distance to be a great Deal more.

Q. Then what did you mean by saying Fyzabad was not much out of the Way?

A. What I meant to say was this; I was to proceed from Allahabad to Lucknow; it undoubtedly was very much out of my Way; but there is another Road, which is not uncommon, though much about, from Lucknow to Fyzabad, going no Part of the Road that I went to Lucknow.

Q. Through what Place did you mean to go in order to go by Fyzabad?

A. I cannot give an Itinerary, but I was told it was much further about, though a much pleasanter Country, from Lucknow to Chunar by Fyzabad, than by Allahabad; it may probably be Fifty or Sixty Miles, or more, out of my Way; but I chose to go that Way to see a Country which I might never have an Opportunity of seeing again. If I am doubted upon for trifling a Business as this, there are Gentlemen here that know the Fact that I did propose to go that Way, and the Answer I received.

Q. Where did you propose it?

A. At Lucknow, and I believe likewise at Chunar; at both Places, I believe. I certainly did wish to go that Way originally when I set out from Chunar: I was told I could not take that Route, for the Country was in Rebellion when I was at Chunar. I went to Lucknow; I was gone Three Days, and then I returned again to Chunar. I hope I have said nothing to contradict my being at both Places.

Q. You before stated you was at Lucknow, and proposed to return by Fyzabad; and it seemed an extraordinary Circumstance, that as this Rebellion was of such Notoriety, it should never have come to your Knowledge, or you would not have proposed to go through the Head Quarters of Rebellion: Now, you recollect you made the same Proposition at Lucknow, how long was you at Lucknow that you supposed the Rebellion was quieted?

A. It is upon no fresh Recollection; I knew of the Circumstance at the Time when I was giving my Evidence; but I was not examined as to both Places; if I had been, I should have given the Answer I have, and I hope the Honourable Manager will refrain from throwing out Reflections against my Testimony when there is no Cause; my Recollection is not refreshed; and it is the more extraordinary, that the Honourable Managers should chuse to sling out those Reflections upon me, because they know I stand in those Circumstances, that if I chose it I might decline giving any Answer at all. I was not examined upon my former Examination to both Places, or otherwise I should have given the same Evidence.

Q. You have stated, the Rebellion of the Begums to have been a Matter of as much Notoriety as the Rebellion in 1745 in London; and to stating it, you say, you proposed going through Fyzabad, when you was told that it was dangerous going that Way; that you did not go there, but to Lucknow, and, after staying only Three Days there, proposed to return by Fyzabad: How do you account for that?

A. I will account for it: When I spoke of the Rebellion, talked of at Chunar as a Matter of as much Notoriety as the Rebellion in 1745, I talked not of an existing Rebellion at that Time, but of a Rebellion that had existed in consequence of the Troubles in Benares. I understood at that Time that the Rebellion, such as it was, was quelled, but that the Country was not quieted; and I believe I can give your Lordships further Satisfaction that this must have been my Meaning, because I delivered in a Letter to the House of Commons, dated the 6th of October, which I received from Mr. Hastings, who then mentioned the Troubles that had been at Fyzabad; and, in that Letter, he says, "he hopes the Nabob, by going through Fyzabad, will quiet those Troubles," so it was the Rebellion that was past: The Honourable Managers are in Possession of that Letter, and therefore must have known that I did not mean a Rebellion actually existing.

Q. There is no Objection to your correcting your former Answer; but you undoubtedly did state, that you understood at Lucknow that the Rebellion then existed?

A. If my Evidence is so, I should be glad to be corrected: If I did, it was not my Intention: It could not possibly be my Intention. I should be glad to be corrected.

Then the following Question and Answer were read over to the Witnesses :

Q. While you was at Lucknow, did you make any Examination or Enquiry to satisfy your own Mind, with respect to the Innocence or Guilt of the Begums ?

A. I remember one Circumstance, if it may be called an Examination, that, having prosecuted my Journey through Illiabad, I had a Desire, for the Purpose of seeing the Country, to return to Chunar through Fyzabad. I was told by every Body there I could not take that Route, because the Country was not quieted from the Rebellion of the Begums : I do not know that I made any particular Examination ; when I was at Chunar I understood it to be a Fact, as clearly ascertained as, I believe, it was in London, in the Year 1745, that there was a Rebellion in the North.

Then the following Question was put to the Witnesses :

Q. Am I now to understand you, that Mr. Hastings did not state to you, when you left Chunar, that the Begums were then in actual Rebellion ?

A. I do not recollect he told me so.

Q. Whether, in your Examination before the Committee of the House of Commons, you did not make this Answer :—" When he communicated to me in Calcutta his Intentions with Regard to Cheit Sing, I declined giving an Opinion at all, because I could not take upon me a sufficient Knowledge of the Laws of the Country to advise whether that Act was legal or not. But with regard to the Begums, I told him, if the Fact he stated were true, namely, that the Begums were in actual Rebellion, I considered it to be necessary to the Existence of the Government of the Nabob Vizier, that he should have the Power of taking from his Subjects in Rebellion those Treasures which enabled them to support their Rebellion."

A. I certainly do remember it ; but I do not know, that that ties it up to the Begums being then in actual Rebellion, because I take the Doctrine to be as true, that after a Rebellion has ceased, the Prince of the Country might as lawfully take those Treasures which had enabled the Persons to support the Rebellion ; I certainly, whatever the Expression may be, never did understand, at the Time I was at Lucknow, that the Begums were then in actual Rebellion, because I had then almost positive Evidence to the contrary ; and the Reports were that they had been in Rebellion, Mr. Hastings' Letter of the 6th of October saying, he expected the Nabob's Journey through Fyzabad would quiet that Country, at that Time I conceived that the Rebellion had ceased, though not the Consequences.

Q. When did you understand the Rebellion to have ceased, and how ?

A. I do not know the precise Time when the Rebellion ceased, nor do I know how it ceased ; but I apprehend it to have ceased on the Turn in Favour of the English Army.

Q. Did you ever hear of any Battle fought, or any Troops marching against the Begums, or of any Blows struck in this Rebellion any where ?

A. No, I never did : but I have heard, by Report, that they raised Troops for Cheit Sing.

Q. Did you hear by Report, that, at the Time they were accused of being in Rebellion, they had preserved a British Officer and his Detachment ?

A. I have heard it, but when, I cannot tell ; I rather believe I did not hear it while I was at Chunar, but I am not sure.

Q. Did you hear it at Lucknow ?

A. I am not sure whether I did or not, it is very probable I might hear it at Chunar ; at the same Time, with the Construction put upon the Act, I did not conceive it to be an amicable Act to the English.

Q. What was the Construction you heard put upon it ?

A. That it was done merely for the Purpose of temporizing.

Q. Did you not think it extraordinary, that Colonel Hannay, or Captain Gordon, should have made no mention of it in their Depositions ?

A. Till I heard, by the Evidence delivered at this Bar, that they had not made mention of it in their Affidavit, I did not know the Fact ; and such an Opinion (if I had any Opinion upon the Subject) must have been gathered within these Two or Three Days, and from exactly the same Materials that your Lordships have before you.

Q. Did you ever, directly or indirectly, discourse with Mr. Middleton, Colonel Hannay, or Captain Gordon, upon the Subject Matter of their Affidavits ?

A. To the best of my Recollection, I never had any Conversation with them upon the Subject ; but it is not impossible but I should, for, as well as I can remember, the Affidavits of Colonel Hannay and Captain Gordon were taken in the Tent of Colonel Hannay, who gave a large Entertainment to me and the Gentlemen at Lucknow ; it is very probable, at Dinner, there might have been such Conversation, but I never had any private Conversation with them upon the Subject ; I might have heard them, in common Conversation, mention what the Matter of their Affidavits were. The Honourable Managers seem totally to go upon different Principles from what I do : I acted merely
as

as an Instrument to authenticate the Affidavits, I did not at all concern myself with the Subject Matter of them.

Q. Did you give any further Advice upon the Subject to Mr. Hastings, after your Return to Chunar?

A. I do not recollect that I did; all the Advice I could give upon the Subject, I believe I had before given, when I advised the Affidavits to be taken upon the Subject; I do not recollect having given any further Advice.

Q. Had you no further Communication with Mr. Hastings after your Return, respecting the Seizure of the Treasure?

A. I believe no further Communication with Mr. Hastings, than having acquainted him with what passed between Mr. Middleton and me, and having a Communication of a Letter or two that Mr. Middleton wrote to me upon the Subject, which I communicated to Mr. Hastings; I think no other. Mr. Hastings was at Chunar, I believe I might almost say without a Secretary. Mr. Anderson, his confidential Agent, at that Time was gone to Scindia's Camp; Mr. Sullivan, his private Secretary, had left him, and returned into the Province of Bahar. I believe at that Time Mr. Hastings had no very confidential Friend nor private Secretary with him. Mr. Davy, who afterwards became his confidential Secretary, had not been introduced to him, at that Time, a Week. Major Davy came up with me when I went to Benares, and I myself introduced him to Mr. Hastings: He came from Lord Macartney, from Madras: Under those Circumstances, and my having Conversation with Mr. Middleton with regard to the Business of the Chunar Treaty and the Begums, Mr. Hastings desired me to write to Mr. Middleton, which I did.

Q. Was not Mr. Hay with Mr. Hastings there?

A. I believe not; I do not recollect.

Q. Was not Major Palmer?

A. I think not. I doubt whether I saw Major Palmer during any Part of the Time I was there; and as to Mr. Hay, I did not understand him, if he was there, to have been the confidential Secretary of Mr. Hastings. I believe he was in the publick Office as Secretary; but I believe he was not a particular confidential Person of Mr. Hastings. I am pretty sure Mr. Hay was not there.

Q. Did you not continue to correspond with Mr. Middleton upon the Subject of the Begums till January following, or February.

A. I believe I did, and very probably further.

Q. Did you communicate all the Letters you received from Mr. Middleton upon the Subject to Mr. Hastings?

A. I certainly did.

Q. Did you write Answers to Mr. Middleton by Mr. Hastings's Directions?

A. I wrote nothing to Mr. Middleton upon the Subject, which I did not understand to be dictated by Mr. Hastings. I do not know that I wrote them when Mr. Hastings was present; but I wrote what I understood to be the Matter Mr. Hastings wished to have communicated to Mr. Middleton.

Q. What do you mean by this Passage, in a Letter dated the 1st of December 1781, from Chunargur: "What we talked of concerning the Begums he highly approves, and would have himself advised. He wishes it to be done immediately. I need not mention the Necessity of taking Care that the Money be applied to the Company's Use."—Do you remember this Passage?

A. I do.

Q. What was the Object of it?

A. The Object of that Passage I take to be the seizing of the Treasures of the Begums.

Q. Did you not understand that when the Nabob consented to the seizing of the Treasure, it was as an Alternative in Lieu of seizing the Jaghires?

A. I have not the least Recollection of such an Alternative.

Q. Was it upon account of the supposed Rebellion of the Begums, that the Treasures were to be seized.

A. I understood so.

Q. When did you first hear of any Attempt made to resume the Jaghires?

A. I cannot ascertain the Dates and Times; I have no Memorandum concerning it.

Q. Do you remember this Passage in a Letter from Mr. Middleton to you, dated Lucknow the 19th of December 1781.—"I think the Opposition the Begum has given to the Measure of resuming the Jaghire, which as far as it concerns her, bears not the Shadow of Exception, as the

“ is to receive the Value in ready Money, will be a full Justification of the further Demands his Excellency has to make upon her.”—Do you know any thing of that Passage?

A. I believe there is such a Passage in a Letter from Mr. Middleton to me.

Q. Do you not see, it is here admitted, that the Ground of seizing the Treasures was the supposed Resistance to giving up the Jaghires, when she was to be no Sufferer by it, and there was no mention of a Rebellion?

A. In the Passage read there is certainly no mention of any Rebellion, and from that Passage it would certainly so appear; but that is Mr. Middleton's Sense, and not mine.

Q. Then, did you understand that Mr. Middleton was ignorant of the Rebellion when he was at Lucknow?

A. I apprehend not, because Mr. Middleton had mentioned the Rebellion to me, but I apprehend by this, Mr. Middleton was pointing out Two Causes for seizing the Treasures, a Cause in Addition to the Rebellion.

Q. Whether you did not think the Rebellion a sufficient Justification by itself for seizing the Treasures, without any Second Cause?

A. I did not think the Second Cause had any Thing to do with it, I thought only of the Rebellion.

Q. Did you not, in Point of Fact, know there had been no Attempt to resume the Jagheers, and consequently no Resistance to it, on the 19th of December?

A. I knew nothing but what I received by Information from Mr. Middleton; I thought his Letters contained the Truth, and that there had been an Attempt to resume the Jagheers; if there was not that Attempt to resume the Jagheers, I now learn it for the First Time.

Q. Had you a regular Communication from Mr. Middleton respecting the Progress of the Transaction of seizing the Treasures?

A. I believe Mr. Middleton did give me a regular Communication of the Progress of it, but I cannot be answerable for the Truth of it.

Then the following Letter from Mr. Middleton to Sir Elijah Impey, signed Nathaniel Middleton, was delivered in and read.

“ Dear Sir Elijah,

“ Fazabad, the 25th January 1782.

“ I have the Satisfaction to inform you that we have at Length so far attained the great Object of our Expedition to this Place, as to commence on the Receipt of Money, of which in the Course of this Day we have got about Six Lacks. I know not yet what Amount we shall actually realize, but I think I may safely venture to pronounce it will be equal to the Liquidation of the Company's Balance. It has been at once the most important and the most difficult Point of Duty which has ever occurred in my Office, and the Anxiety, the Hopes, and Fears, which have alternately agitated my Mind cannot be described or conceived but by those who have been Witnesses to what has passed in the Course of this long Contest. The Ministers have supported me nobly throughout the Business, and deserve much Commendation; without the shrewd Discernment, and Knowledge of the Finesse and Tricks of the Country, which Hyder Beg Cawn possesses, I believe we should have succeeded but indifferently; for I soon found that no real Advantage was to be obtained by proceeding at once to violent Extremities with the Begum, and that she was only to be attacked through the Medium of her confidential Servants, who it required considerable Address to get hold of; however, we at last effected it, and by using some few Severities with them we at Length came at the secret Hoards of this old Lady. I will write you more Particulars hereafter.

“ I am sorry to inform you my little Boy still continues in a very precarious Way, though somewhat better than when I had last the Honour to address you.

“ My Respects to Lady Impey, and believe me with great Regard,

My dear Sir Elijah,

“ Sir E. Impey.

Your faithful, obliged, and

most affectionate humble Servant,

“ Nathaniel Middleton.”

Then the following Question was put to the Witnesses:

Q. From your Knowledge of the Whole of these Circumstances, and your Communication with Mr. Middleton at Lucknow, to what did you attribute the Anxiety, Hopes, and Fears, which Mr. Middleton says had alternately agitated his Mind?

A. I can know it no otherwise than from what Mr. Middleton relates in this Letter. I take it those Anxieties, Hopes, and Fears, had arisen from his not being sure he should effectually seize the Treasure.

Q. What did Mr. Middleton mean by these Words, “ The Ministers have supported me nobly throughout the Business?”

A. I

A. I think in some Part of Mr. Middleton's Correspondence he had said, the Nabob himself had been averse to the Measure, after having undertaken it, and the Ministers had upheld Mr. Middleton in it; but I know nothing of it but from the Letters.

Q. Against the Will of the Nabob?

A. That I believe was against the Will of the Nabob.

Q. Do you not know yourself, that the Nabob was averse to the Measure?

A. I certainly did not know that he was averse to the Measure; and I should rather have thought otherwise, and that at any Time, without any Pretence of Rebellion, he would have been glad to seize the Treasures of the Begums: That was my Opinion. When I first went to Calcutta, or very soon afterwards, there was a large Quantity of the Effects of the Begums at Sale in the Settlement, which had been seized by the Nabob; and, as I then understood, if the English Government had not interfered, he would at that Time have seized the Whole of the Treasures of the Begums; but I think it is right for me likewise to say, from whom I had that Intelligence: That Intelligence I had from Mr. Hallings.

Q. Did you ever require any Explanation from Mr. Middleton of these Passages?

A. I believe never; I thoroughly understood them, and therefore did not require an Explanation.

Q. You have stated, that you had no Knowledge yourself that the Measure of resuming the Jagheers had not been attempted, at the Time they resolved to seize the Treasures; the Resistance to the resuming of the Jagheers was mentioned in one Place as a Second Cause, and Ground for seizing the Treasures; how do you understand the following Passage in a Letter from Mr. Middleton to you, dated Lucknow, the 5th December 1781: "The Measure respecting the Begums, and the Resumption of the Jagheers, will be instantly adopted. The latter has only been suspended for the Governor's Sentiments on the former, as the Jagheers of the Begums and their Dependants are the most considerable, and to have attacked them, without being prepared at the same Time to enter immediately on the Execution of the grand Design, would have been doing Things by Halves, and possibly have defeated our Expectations." Now, what did you understand to be the grand Design?

A. I certainly understood the grand Design to be the seizing of the Begums Treasures, and, from this Letter now read to me, I do collect that they had not before attempted to seize the Jagheers.

Q. Then, the Account of the supposed Resistance to resuming the Jagheers could have been no Ground for seizing the Treasures?

A. Undoubtedly not, if there had been no Attack upon the Jagheers. Mr. Middleton may explain it, I cannot: Those Letters were delivered in to the House of Commons Twelve Months ago: It is so many Years since I received them I certainly do not carry the Contents of them in my Mind.

Q. There is another Passage:—"Do not, my dear Sir Elijah Impey, suffer this Delay to be urged or considered as an Impurification of Blame upon me: I entered on the Business the very Day after you left me, and went so far as to look upon the Matter as finally agreed upon, the actual Execution only suspended, until I could receive either yours or the Governor's Sentiments upon the further Proposal, which is certainly of far greater Consequence than the Resumption of the Jagheers, as it will do at one Stroke, if we are not all grossly mistaken, what the Jagheers will be at least Two Years in doing." What did you understand was to be done at one Stroke?

A. I understood that to be the seizing of the Treasures of the Begums; and Mr. Middleton represents that it would raise a greater Sum: It is impossible for me to do otherwise than refer to the Letters, because it could not be a Matter within my Knowledge.

Q. Are you now convinced, that the supposed Opposition to the Resumption of the Jagheers was not any Cause of seizing the Treasures; were the Treasures seized on Account of the Rebellion?

A. Till I hear how Mr. Middleton explains that, I certainly cannot be convinced upon the Subject; if I was to know no more than I read from this Letter, I should think there had been no Attempt to seize the Jagheers.

The House informed the Managers for the Commons, that the Opinion of the Witness, upon a Matter not within his own Knowledge, was no Evidence.

Q. What, to your Knowledge, were the Grounds of seizing the Treasures, besides what you collected from your Correspondence with Mr. Middleton?

A. I never knew of any other Grounds for seizing the Treasures; I certainly had read this in Mr. Middleton's Letter; but a real Ground for seizing the Treasures, just liable in my Mind, I never knew, except the Circumstance of the Rebellion.

Q. Do you mean a Rebellion before you saw Mr. Hastings at Chunar, or a Rebellion subsequent to that Time?

A. I do not call the Resistance to seizing the Jaghires, if there were such, a Rebellion; I mean the Rebellion at the Time I saw Mr. Hastings. When I speak of Rebellion, I do not mean the Resistance to seizing the Jagheers.

Q. Did you understand, from Mr. Hastings, and from the Communication you had with him upon the Subject, that that was the Ground and Cause of the seizing of the Treasures?

A. I certainly did.

Read, from Book 29, already delivered in, the following Extract of a Letter from the Board at Calcutta to the Court of Directors, dated Fort William, 11th February 1782.

“ Fort William, 11th February 1782.

“ Par. 7. The just Grounds of Suspicion which had been given to the Nabob, by the Begum and other principal Jaghyrdars in his Country, by the Symptoms of Disaffection, and even Treachery displayed in their Conduct, made it an Object of serious Consideration with him to take the first Opportunity which should offer, consistent with Justice, to dispossess them of the Means of becoming injurious to his Authority; and the Necessities of his Government requiring extraordinary Aid, he resolved to take this Occasion of depriving them of those extensive Jaghyrs, which enabled them to become troublesome, by the Revenues which they yielded, and the Number of Dependents necessarily retained for their Collection and Defence, and to resume the Lands, allowing Pensions to the Jaghyrdars, in Lieu of the Revenues.

“ Par. 8. As the Resident at Lucknow had been made Guarantee to an Agreement, formerly executed between the Nabob and the Begum, in which he had engaged for a specific Sum of Money, to desist from all further Claims upon her, it was necessary for him to acquire the Sanction of this Government to his Intentions, before he could carry them into Execution, which the Infidelity of the Begum gave but too much Reason to grant. You will find this Measure provided for in the new Treaty (a), concluded with the Nabob by the Governor General, at Chunar, on the 19th September last.

“(a) Vide No. 1 & 2 of the first Part of the Appendix to the Governor General's Narrative.”

“ Par. 9. On the First Attempt made by the Nabob to carry this Plan into Execution against the Begum, she determined to resist his Authority, and raised a Revolt by the Means of her Eunuchs, Jewer Ally Cawn and Behar Ally Cawn, who had collected a Force of about 5000 Men in Order to set the Nabob at Defiance. Notice of this Second Insurrection having been transmitted by the Resident, without Loss of Time, to the Governor General at Banares, he immediately ordered a large Detachment to march from Campore, and the Nabob resolved to go in Person to Fyzabad; on his Arrival there, by the Assistance of our Troops, he took Possession of the Kella; and the Eunuchs, seeing it would be in vain to make a stand when superior Forces were expected, surrendered themselves Prisoners to the Nabob, and their Followers dispersed.

“ Par. 10. In Order to punish the Begum for this daring ill Conduct, and to put it out of her Power to apply the Treasures which she had amassed, to the Purpose of raising further Commotions in the Country, the Nabob resolved to seize her Wealth, which by the Mahomedan Laws he was intitled to, as an Inheritance from his Father, who in the latter Years of his Life had committed his Treasury wholly to her Charge, and it had remained with her after his Death.

(Signed at the End.)

Warren Hastings.

Ed. Wheler.

John Macpherson (a).”

Then the Witness was asked,

Q. Whether this Account, of your own certain Knowledge, is not wholly false?

A. I know this, that the Reason assigned to me for seizing the Treasures, was the Rebellion of the Begums; whether any other Causes mixed in Mr. Hastings's Mind, I cannot tell, but he did not communicate more to me.

Q. Did you not carry Mr. Hastings's Pleasure, respecting the Seizing of the Treasures, in November 1782, to Lucknow?

A. I certainly did.

Q. Then, could any Thing that happened in January, have been the Reason for the Determination of Mr. Hastings, which you carried to Lucknow in November?

A. No; certainly not.

Q. Whether you did not say, in your Opinion, the Rebellion was the only justifiable Cause of the Seizure of the Begums Treasury, or something to that Effect?

A. It certainly appears to me so at present.

Q. Then, if the Rebellion appeared to be the only justifiable Cause of seizing those Treasures, how came you to be indifferent about the Subject Matter of the Affidavits, which were to establish and authenticate that Fact of the Rebellion, so much so as not to have read them, or caused them to be read to you?

A. I had no more Indifference to those Affidavits, nor had I any more Cause to look at those Affidavits, than any Affidavits that should be taken before me in a judicial Capacity—and I believe some of your Lordships know it is not customary for the Person who authenticates an Affidavit to examine into the Contents of it—Had I been, as I said before, to segregate Matter for Mr. Hastings's Defence, or to accuse the Begums, I undoubtedly ought to have seen what the Matters of the Affidavits were; but as I went only for the Purpose of giving my Signature, and tendering the Oath to the Person who made the Affidavit, I did not conceive myself then, nor do I now conceive myself, (and I am now upon Oath) in the least interested whether the Matter of these Affidavits was true or false, or whether they were, or were not, relevant to Mr. Hastings's Narrative.

Q. The Question was not, whether you had any personal Interest in it, but whether you acted in a judicial Character, or in the Character of Mr. Hastings's confidential Secretary, Friend, and Adviser, in the Article of taking the Affidavits?

A. I certainly had no Pretence to act in a judicial Capacity; I did act as the Adviser of Mr. Hastings; but I must distinguish the Case, from the Act of taking the Affidavits: In the Act of taking the Affidavits, I was not the Adviser of Mr. Hastings, I was then the simple Instrument to authenticate them.

Q. In what Character was you the simple Instrument of authenticating the Affidavits?

A. In no official Character whatever, but as a Man known to bear a great Office, and therefore it was supposed my taking the Affidavits would give a Weight to them.

Q. Whether or no you conceive that a Man in a great Office giving an Attestation to Affidavits, which he never read, and which were never read to him, would give any Weight to any Justification?

A. I think it would give a Weight to the only Effect that I wished to have the Weight given; namely, to the Fact that those Affidavits had been sworn: That was all I meant to authenticate—the Fact of swearing.

Q. Whether you did not advise the taking of those Affidavits?

A. I have said before that I did.

Q. For what End or Purpose did you desire them to be taken?

A. I have said before, and, if it is desired, I will repeat it again: It was for the Purpose of authenticating the Fact of the Narrative which Mr. Hastings was then writing.

Q. Did you not advise such Measures to be taken, upon the Supposition of the Fact of that Rebellion?

A. If the Question means the taking of the Affidavits, I certainly did not do it upon the Idea of the Rebellion existing, but simply to authenticate the Facts in Mr. Hastings's Narrative. If the Question means the Advice, if that is to be called Advice, which I delivered to Mr. Hastings, as my Opinion concerning the seizing the Treasure, that undoubtedly was upon Account of the Rebellion.

Q. Whether, when a Measure of such Consequence to the Publick, and to Mr. Hastings's Fame and Character, was recommended by you, you did not think such a Matter as his Justification required something else, than the Attestation of a mere Fact, that some Affidavits were sworn?

A. I apprehended the Facts that would be sworn in the Affidavits were material, and that they would be material; and that it was material the Fact of their having been sworn should be ascertained. If I had supposed that the Affidavits contained nothing to the Purpose, most undoubtedly the mere Fact of having sworn the Affidavits would have been of no Consequence; that depended upon the Subject Matter of the Affidavits.

Q. Did it not appear to you, to be your Duty, in the Office you had voluntarily undertaken, to take care that the Affidavits were not nugatory?

A. I believe I have answered, at least Ten Times, to the Substance of that Question already. I most undoubtedly did not think it any Part of my Province; I never undertook it so: It is a Mis-statement to say I undertook that.

Q. Then, if you did not undertake to see whether the Affidavits were nugatory or relevant, upon what Ground did you advise Mr. Hastings to place them in a Defence, which was to justify his Conduct to the People of this Country?

A. I will again state to your Lordships what I said before, which was, that Mr. Hastings was writing a Narrative of Facts; that in the Disposition of the People of England, I doubted whether

whether they would give Credit merely from his writing them : I therefore advised, that the Facts, whether material or immaterial, should be authenticated by Affidavit.

Q. Did you advise him to place them in this Narrative ?

A. I did advise that they should be annexed to his Narrative.

Q. Do you mean to assert that you were indifferent, whether they were applicable to that Narrative or not, or whether they might not tend to hurt him, as well as to serve him ?

A. I thought, and verily believed, that Mr. Hastings, in his Narrative, meant to conform to Truth, and that Truth I wanted to be authenticated, whether it made for or against him ; or, in Mr. Hastings's own Words, in his Letter to Mr. Middleton, whether they realised or refuted the Fact.

Q. Do you consider Mr. Hastings's Narrative to be a mere Narrative, stating Facts with an Indifference as to the Effect of them, or as a Justification and an Apology for Mr. Hastings ?

A. I most undoubtedly understood that Mr. Hastings was writing a Narrative which he intended for an Apology.

Q. Whether you was not examined to the following Effect in the House of Commons, and whether you did not give the following Answer ?

Then the Minutes of a Committee of the House of Commons were delivered in. Read, the following Extract, beginning at Page 26 of the same.

" Jovis, 1^o Februarii 1787.

" In a Letter, of the 6th December 1781, Page 3, from Mr. Middleton to Mr. Hastings, there is this Sentence, ' Your Pleasure respecting the Begums I have learned from Sir Elijah, and ' the Measure heretofore proposed will soon follow the Resumption of the J.ghiers.' To whom do the Words ' heretofore proposed' refer ?

" By hearing the Letter read, I refer it to a Proposal made by Mr. Hastings, through me, to Mr. Middleton.

" What was the Nature of the Proposal ?

" I take it to allude to what I have before mentioned, the Intention of Mr. Hastings to have the Effects of the Begums confiscated on Account of their Rebellion.

" Do you mean, by saying Mr. Hastings intended to have the Begum's Effects confiscated, that it was to grant his, Mr. Hastings's, Consent to the Nabob's doing it ?

" I understood more ; I understood it was Mr. Hastings's Intention Mr. Middleton should recommend it to the Nabob as a Measure."

Read, also, the following Extract, beginning at Page 28 of the said Minutes.

" Did Mr. Middleton inform you the Begums were then actually in Rebellion ?

" I will not take upon me precisely to say that he informed me that the Begums were then in actual Rebellion ; but that they informed me the Route by Fyzabad was unsafe on account of the State of the Country in consequence of their Rebellion, which, to my Object of returning, was the same Thing.

" Did you often see the Nabob Vizier ?

" I think I saw him Three or Four Times.

" Did you ever converse with the Nabob on the Object of your Journey to Lucknow ?

" There were several Objects of my Journey to Lucknow ; I cannot say I never mentioned any of them, but I do not recollect that I did ; and I am sure I never conversed with him on the Subject of the Begums. Mr. Hastings had never desired me, and I should have thought it impertinent and indelicate.

" Then the Nabob never mentioned to you that his Parents were in actual Rebellion against him ?

" He certainly never did ; but it is not to be inferred from thence that they were not, as we had no Conversation upon the State of the Country, of the Treaty of Benaris, or any of the preceding Transactions.

" Did you ever inform the Nabob that you had taken Depositions, while at his Court, tending to accuse his Mother and Grandmother ?

" I did not ; but the Nabob must have known, because his Minister made a Deposition ; I had no Doubt it was well known to the Nabob.

" What Minister ?

" Hyder Beg Cawn.

" When

“ When did Hyder Beg Cawn make that Deposition ?

“ I have not the least Recollection ; I believe it to have been in a Tent at Colonel Hannay's Quarters, or it might have been in the House of Major Martin, where I lodged ; but within the Court of the Nabob, I never took a Deposition. I am inclined, upon Recollection, to think it was at Major Martin's.

“ What became of that Deposition ?

“ I do not recollect any Thing particular of that Deposition, but believe it went with the rest.

“ Are you sure that Deposition ever mentioned the Begum's Name, or contains the least Allusion to it ?

“ I am by no Means sure of it, for I never read it or heard it ; I was not taking Depositions merely against the Begums ; I do not know whether one of the Depositions went to the Begums ; and if I had informed the Nabob, I was about taking Depositions against the Begums, I might, for what I know, have informed him false ; for I did not know the Fact.

“ Then, what do you mean by saying, you are convinced that the Nabob knew his Mother and Grandmother were accused—because the Minister had made a Deposition declaring it, at the same Time that you are wholly ignorant of the Contents of all the Depositions ?

“ If upon my Evidence I have said so, I am glad the Question has given me an Opportunity of explaining it ; for I meant no such Thing.—I ask Pardon for not having observed the Question was narrowed to Depositions against the Begums : I understood it went to taking Depositions generally.”

Read, also, the following Extract, from Page 31 of the said Minutes.

“ On what Ground are you so confident that those Depositions are in Print ; and that the Dates, Names, and Places, are upon them ; you never having read them ?

“ Because I saw the Captions and Signatures of all the Affidavits, and the Dates.

“ Did you never hear them read to you ?

“ I do not recollect that I did ; some may have been read to me, but it was not the Course to read them ; I took them as Justices of the Peace in England take Affidavits.

“ Are you sure that a considerable Number of them, were not deliberately read to you ?

“ I am by no Means sure ; very probably they were ; at this Distance of Time I cannot recollect. I only mean, that I did not request them to be read to me ; if they chose to read them to me, I probably heard them.

“ Then, if they were read to you, and you heard them, must you not have been mistaken in declaring, that you never had any Knowledge of the Contents of them ?

“ I acknowledge the Conclusion ; but I have no Remembrance whether any of them were read to me ; and I am sure I do not know the Contents of them.

“ Do you recollect whether or not, when the Depositions were in the Persian or Hindoo Language, that they were translated by Major Davy, signed in English, and the Contents explained to the Deponents ?

“ Very possibly it may be so, but I have not the least Recollection of the Fact ; the Explanation of the Contents might have been in my Presence, or not ; if it was expressed to be done in my Presence, it undoubtedly was so.

“ Whether you have set your Name to an Affidavit, purporting to be sworn before you, the Contents being first explained to the Deponent, without the Contents having been explained in your Presence ?

“ It requires a Knowledge of both Languages, to know whether an Interpreter explains right or no ; without that Knowledge, the Interpreter must be credited, and I have no Doubt may ; I am sure the Interpreter was sworn, and in that Case I should so have signed it.

“ Do you mean, you would have signed such a Deposition, without requiring the Interpreter to explain the Deposition to the Deponent, at the Time he made the Affidavit ?

“ Certainly, upon asking the sworn Interpreter, whether he had interpreted the Contents truly.

“ Do you think that it was a necessary Precaution, when a Native of the Country was to swear to a Deposition, drawn up in English, that it should have been interpreted to the Deponent in his own Language ?

“ I do.

“ Was Major Davy with you at Lucknow ?

“ He was not.

“ Who was the Interpreter upon that Occasion ?

“ I do not know ; but it was a sworn Interpreter.

“ Do you know his Name ?

“ I do not.

“ Who recommended him ?

“ At this Distance of Time, I do not know ; but I was satisfied at the Time.

“ Are you absolutely certain that he was such a sworn Interpreter ?

“ I am as positive as I can be of any common official Act. Although this was not an official Act, yet it was in the Nature of an official Act, that I would not have done it without a sworn Interpreter, that being a Matter of Course.

“ You having recollected the Attestation which you signed to one of the Depositions read to you, which there states, that the Contents had been sworn before you, the Contents being explained to the Deponent by the Interpreter, whose Name you do not recollect ; do you recollect to have seen any such Attestations to the Depositions you took at Lucknow ?

“ I have no Recollection whatsoever.

“ You having stated that if, in the Depositions taken before you after your Return from Lucknow, there appears an Attestation, that the Contents had been first explained to the Deponent ; do you not admit, that a similar Attestation would have appeared, upon the Depositions taken at Lucknow, if the same Measures had been pursued there with respect to those Depositions ?

“ If it had been so written on the Depositions, it certainly would so have appeared.

“ But if the Fact had existed, that the Depositions had been so explained, would it not have so appeared ?

“ It should have so appeared, and it is inaccurate, if it does not.

“ Do you recollect yourself to have sworn any Interpreter at Lucknow ?

“ I do not recollect it, but I have no doubt but I did.

“ And you know no Reason, but attribute it to Inaccuracy, that the Depositions taken at Lucknow have no Attestation that they were first explained to the native Deponents, and that all the Depositions of the same Nature, taken upon your Return, have such Attestations ; and you do not remember the Name of the Interpreter, nor who recommended him ?

“ I did not know the Fact, and, if it is so, I attribute it to Inaccuracy ; and I do not know the Name of the Interpreter. I hope the Committee will make Allowance for the Want of Remembrance of Transactions at such a Distance of Time. There is another Thing, those that are in Print are Copies ; the Originals might have Attestations ; I do not know that they have.”

A. Before the Honourable Managers put any Question to me—as Part of the Evidence given before the House of Commons, has been given clearly for the Purpose of shewing I was inconsistent in that Evidence—I hope your Lordships will give me an Opportunity to explain that Inconsistency. Mr. Sheridan, one of the Honourable Managers, examined me from a Book in his Hand ; he asked me several Questions with respect to an Interpreter being sworn at Lucknow ; conceiving that Mr. Sheridan could not ask me that Question, unless the Subject Matter of the Examination required that there should have been an Interpreter, I was misled to say, that there was an Interpreter. I was then examined with respect to the Affidavits and Memorandums, and whether the Matters contained upon the Affidavits had been read to the Witnesses, and then a Number of Questions put upon that. When I went home, imagining the Book I was examined from was the Report which contained Mr. Hallings’s Narrative, I found that there was no Affidavit taken at Lucknow which required an Interpreter, that there was not a single Affidavit interpreted at Lucknow, that I took the Affidavits in Persian, or in the Country Language, and they were subsequently translated by Mr. Davy, a sworn Interpreter. Under the Idea that I had an Interpreter, and that there might have been an Explanation of the Affidavits, which were to be taken in a Language that the Witnesses did not understand, I most undoubtedly said I thought so, at the same Time denying that I remembered the Fact ; but that I said so, because I knew it would be the Course of taking the Affidavits, and I am sure I should not have taken them out of the Course ; it would have been the Course if the Affidavits had been translated, but it could not be of Course, when I merely authenticated the Papers which the Witnesses brought, by giving the Oath, and taking their Signature. This I thought necessary to explain to your Lordships, for when that is understood, there will appear to be no Inconsistency in my Evidence. This I endeavoured to explain to the House of Commons ; I have now by me a Paper which I delivered to Mr. Dempster, for that Purpose, the very next Day : I understood there was no Necessity for my attending, and therefore I was not in the Lobby of the House of Commons, or near it : I was called for there, but, as I did not appear, no Notice was taken of that Paper. I believe these are the Facts. I certainly delivered my Evidence in full Confidence, that the Gentleman who examined me did not intend to mislead me ; I do not accuse that Gentleman with an Intention to mislead me, but he undoubtedly misled me.

Then the following Question was put to the Witness ;

Q. What Book was that which you looked into, when you found this Explanation, respecting Affidavits not requiring an Interpreter ?

A. It

A. It was one of the Reports of the Committee I looked into, for the Purpose of seeing whether I did use an Interpreter or not, as I found the Question pressed so much: I thought I had made a Mistake, and I looked into it to correct that Mistake, and to see in what Language the Affidavits were taken; it turned out I did not use an Interpreter, and that it was at a subsequent Time that they were translated by Mr. Davy.

Q. What Report was it?

A. I do not know the Name of the Report, but it is the Report in which Mr. Hastings's Narrative is set out.

Q. Then it was into Mr. Hastings's Narrative that you looked?

A. I did not look into Mr. Hastings's Narrative; I see I am supposed to have made a Mistake: I have made no Mistake; it was not necessary for me to read Mr. Hastings's Narrative, or the Affidavits, for the Purpose. I neither read the one nor the other; I only looked to see whether I did or did not use an Interpreter at that Time. I shall not be caught in a Fallacy.

Q. It does not appear then that you have looked so far into the Narrative, placed in the Appendix of the Second Report, as to satisfy yourself with respect to the Titles of the Affidavits, and the Fact whether there were an Interpreter present or not. Some of the Affidavits are translated by Major Davy, a sworn Interpreter. To satisfy yourself of that Fact, you must have had your Eye over those Affidavits?

A. As far as Truth, to the utmost Extremity, I will admit: I hope nothing will be taken by Inference that goes beyond it. I did for that Purpose, and for that Purpose only, examine that Report. I did not at that Time look into Mr. Hastings's Narrative; I did not read the Affidavits; I looked only to the Caption of the Affidavits, and the Dates of the Affidavits; and I cautiously avoided doing it, for this Reason; as I was to be examined, I would not intermix a subsequent Knowledge of Facts with an antecedent Knowledge of Facts, that I might not be puzzled when I came to be examined, by confounding the Times when I acquired the Knowledge; therefore I cautiously avoided looking into them, that my Mind might not be impressed with Facts, without knowing at what Time I came to the Knowledge of them.

Q. Do you mean you looked at the Top and the Bottom of the Affidavits, and cautiously avoided reading any Part?

A. I cautiously avoided reading any Part of them; I might casually see some Lines, but I had no premeditated Purpose of reading them. My premeditated Purpose was to avoid looking into them, and, if I am to be examined again, I shall do exactly the same Thing, and for the same Reason.

Q. You have stated in an Answer lately, that you found certain of those Affidavits did not require any Interpreter: How could you find that they required no such Attestation, without having cast your Eye upon the Matter of the Affidavits?

A. I take it, the Matter of the Affidavits had nothing to do with the Subject. If it was an Affidavit that I saw, subsequently translated by Major Davy, I knew I could not have used an Interpreter at Lucknow: If the Affidavits were made by English Gentlemen, I knew I wanted no Interpreter, because they were English.

Q. Was it upon this subsequent Examination of any Parts of the Affidavits (for I do not know how otherwise to describe it) that you discovered that Hyder Beg had not sworn?

A. I have not discovered that Hyder Beg was not sworn; I rather suppose, from his Rank, he did not swear; he possibly may have sworn: What I said was, that Natives of high Rank decline swearing; and he is a Native of high Rank.

Q. The Passage is this: "The Account of what I have heard, and of what I saw, I have truly and faithfully related. I swear by the Almighty, that I have truly wrote, without diminishing or Addition, all that I heard, and all that I saw, and nothing but the Truth. Signed Hyder Beg. That which is written is true: Sealed with his Seal."—Did you think yourself bound to abstain from casting your Eye upon the Passage when you looked at the Book?

A. I certainly did not think myself bound to abstain from looking upon that or any other Passage; but, in the Terms the Passage has been read, I still think Hyder Beg did not swear; because it is only the Affirmation of Hyder Beg, and there is no Attestation that an Oath was taken. I still think he did not swear; that is, that the Koran was not put upon his Head, in the formal Manner in which Witnesses do swear; but I do not mean to speak accurately to the Fact. I rather believe he did not, because, being a Man of so high Rank, I rather think he would have avoided it.

Q. Did you, in looking at these Affidavits, observe whether Hyder Beg's Deposition was translated, or not?

A. I have no Kind of Recollection of looking at Hyder Beg's Affidavit; I take it for granted he swore in Persian, and therefore it was translated.

Q. Am

Q. Am I to understand, that you acquired no Knowledge of the Contents of any of those Affidavits, from that subsequent Inspection you made of the Appendix to the Report of the House of Commons?

A. I think I may take upon myself safely to swear, that I acquired none. I will not say, that, in casting my Eye over, and looking at the Top and Bottom of the Affidavits, and the Attestations and Captions, that something might not have caught my Eye.

Q. Have you any Memory of any Thing that did?

A. I have not the least Memory of it; I have gathered much more of the Contents of those Affidavits since my attending at this House, than I did before. I have learnt, from an Honourable Gentleman, that Hyder Beg said nothing with respect to the Begums, but, before, I thought he had.

Q. Why did you think Hyder Beg had said any Thing about the Begums before?

A. Because I suppose it would be in his Knowledge, and therefore I suppose he would give an Account of what he knew.

Q. Do you then admit, that as this Rebellion, if it had existed, must have been in Hyder Beg's Knowledge, Hyder Beg's Deposition containing no Account of it, must be a strong Proof there was no such Rebellion?

A. I am no Party to the Cause: I hope I stand an indifferent Witness before the House. I do not mean to admit or deny it. If such a Conclusion arises in your Lordships Mind, you will judge from the Affidavits. Whether it arose in my Mind or no, I do not assume enough to think it would guide your Lordships Determination.

Q. Did you consider the Persons whose Affidavits you took, were attesting or swearing to these Affidavits, as expressive of the whole Truth, and all they knew upon the Subject?

A. I had no Reason to think otherwise; Persons coming voluntarily to depose before me, I should suppose would depose the Truth. Any Body can determine just as well as I can upon that Subject.

Q. Whether you had by Law Power to administer an Oath in the Province of Oude?

A. I have answered before several Times, that undoubtedly my Jurisdiction did not extend there; that I had no legal Authority to administer an Oath there is most certain: but I know that many Affidavits are taken by those who have not legal Jurisdiction to administer Oaths, in Matters, but not in Causes. A very high Authority has told me he has done it.

Q. I should wish to know who the Authority is?

A. Out of Decency and Respect to the Person who told me so, a very high Magistrate, I doubt whether I ought to mention his Name; but if the House think it is necessary to mention his Name, if that will be an Apology for me to the Noble Lord, the Magistrate, I have no Kind of Difficulty to name him; but this I assert, it is One of the highest Authorities in this Kingdom.

Q. (*Cross examined.*) Whether the several Persons who made the Affidavits were sworn by you in any, and what Form?

A. The English Gentlemen were sworn in the Manner that Affidavits are taken in England. The Mahometans, or if there were any native Hindoos, I believe they were sworn according to what I understand to be the solemnest Manner in which Hindoos or Mussulmen can swear.

Q. Was the Question put to them, whether the Contents of their Affidavits were true?

A. Either that, or something to the Effect, certainly.

Q. You have spoke to the Notoriety of the Report of the Rebellion of the Begums, whether any Circumstance came to your Knowledge afterwards, to induce you to disbelieve that Report?

A. Yes, I have; and that is, that the House of Commons have entertained another Opinion, and, possibly, have better Evidence than I have: no other Reason.

Q. Whether you can inform the House, whether the Treasures of Sujah ul Dowlah kept in the Zenana, became upon his Death the Property of his Successor, or his Widow, or any other Person, by the Law of that Country?

A. I know nothing at all of that Subject, or whose Property it was: I do not take upon me to know any Thing of any Laws of the Country.

Then a Letter was shewn to the Witnesses; and the following Question was put to him.

Q. You have been asked, with respect to that Letter bearing Date the 19th of December 1781: is that a Letter you received from Mr. Middleton?

A. Yes; I believe it to be one of the Letters I delivered in to the House of Commons, as having received from Mr. Middleton.

Then

Then the following Extract was read from the same :

“ My dear Sir Elijah,

“ Lucknow, the 19th December 1781.

“ I accept the Compromise Mr. Hastings has offered me in respect to Mr. Cator, and have this Day informed him so. It is possible, as we both know the Governor is not very punctual in answering, or even reading Letters, that a Line from you, reminding him of the Conversation you had with him on this Subject, and pressing his Compliance may be necessary; and I must further rely upon you, my dear Sir, to get Mr. Collinson nominated Cator's Successor at Dacca, as on that Event rest his Hopes of getting rid of an expensive House he has there, which, exclusive of his personal Regard for Collinson, I can take upon me to assure you is all the Interest he has in wishing him to obtain the Appointment. We have strange Reports here of the Disposition of our Friends Colleagues below, which might alarm a more credulous Man than I am; but I am determined to give no Ear to them until they come to me from better Authority. A Hint from you, my dear Sir, on your Arrival at the Presidency, how Matters are going on, will be very satisfactory and useful. You may be assured that any Thing of this Sort you may do me the Honour to communicate in Confidence shall never go further. Your Friendship and good Offices in this particular Line, are of the greater Consequence to me, as I have no Person about the Governor from whom I can expect useful Information, or whose Communications I could receive without Suspicion.

“ I think we shall yet have some active Service in fully establishing the Measure of resuming the Jagheers. The Begum has opposed the Aumil that was sent to take Charge of hers, and vows Vengeance, not only against him and the Nabob, but against the whole Country, if her Jagheer is touched. Her own Words to me and the Minister are pretty expressive of her Disposition. ‘ If my Jagheer is touched, the whole Country shall go with it.’ She has a Number of Men in Arms, which has obliged the Nabob to call for the Assistance of another Regiment from Cawnpore. His Excellency proceeds to Fyzabad to settle other Matters on the 27th Instant; the Mohurum, he pleads, prevents his going sooner. I think the Opposition the Begum has given to the Measure of resuming the Jagheer, which, as far as it concerns her, bears not the Shadow of Exception, as she is to receive the Value in ready Money, will be a full Justification of the future Demands his Excellency has to make upon her. With such a Disposition as she has betrayed, it would be the Excess of Folly to leave her in Possession of the Means of gratifying it.”

Then the following Extract of a Letter from the Board at Calcutta to the Court of Directors, dated Fort William, 11th February 1782, was read from Book 29, already delivered in.

“ Honourable Sirs,

Fort William, 11th February 1782.

“ Par. 1. In our last Letter from this Department by the Swallow Packet, dated 29th December 1781, we informed you of the Detention of that Vessel, for the Purpose of carrying home a complete Narrative of the Governor General's Proceedings while at Benares and Chunar, which we daily expected to receive from him. However, as the Length of this Paper, and the great Number of References annexed to it, made it impossible to send them down sooner than he did, and we found it would require a long While to copy them after their Arrival, we determined to dispatch the Swallow without them, judging that you would be impatient to hear from us on the Restoration of Peace in the Districts of Benares, and to receive the latest Accounts from Madras of the Situation of Affairs in the Carnatic.

“ 2. We determined, at the same Time, to dispatch the Nancy Snow, Captain Hilsenan, with these Reports as soon as they could be prepared, and we have now the Pleasure to transmit them to you, a separate Number in this Packet.

“ 3. The above Papers contain such a full Account of all Transactions of the Governor General upon this Service, together with his Motives and Reasonings upon them, that we think it would be superfluous to add any Thing of our own, but to recommend them to your attentive Perusal.

“ 4. By these it will appear, that the Treachery and Intrigues of Cheyt Sing, supported by the Disaffection and restless Disposition of the Bhow Begum, Mother to the Nabob of Oude, at Fyzabad, produced Insurrections in that Country, which till lately we were unapprized of, on account of the Communications between that Place and Benares being wholly cut off.

“ 5. At the same Time that the first Information of these Disturbances reached us, we were happy to hear that they had been quelled by the Accounts received there of the successful Efforts of our Troops in Benares, and the March of Two Regiments from Cawnpore to the Relief of Colonel Hannay, whose Sepoys gave evident Proofs by their Desertion that they had been tampered with, and he, with most of his Officers, were in great Danger of their Lives, a Detachment under Lieutenant Gordon having been actually attacked and cut off, and the Rest of the Corps being surrounded by the Rabble levied under Sanction of the Begum, avowedly for the Service of Rajah Cheyt Sing.

“ 6. The Circumstance of these Levies is further corroborated by various Reports from Fyzabad, and by the List of Cheyt Sing's Forces delivered to the Governor General at Chunar, in which

the Troops, said to be come from Lucknow, which formed a Part of his Strength, must evidently be the same (since they agree in Number) with those which Colonel Hannay declares to have been raised, and sent to him from Fyzabad.

(Signed at the End)

Warren Hastings,
Edward Wheler,
John Macpherson."

Q. (*from a Lord.*) To what Age does a Man continue a Minor by the Laws of Hindostan?

A. There are different Periods for the Hindoos and the Mussulmen; I could not give such an Answer upon Oath without resorting to Memorandums to ascertain it.

Q. Do you recollect whether they continue Minors to the Age of Twenty-one, or nearly to what Age?

A. I believe it is at an earlier Age they come to Majority.

Q. Do you know who was the Person mentioned in one of the Affidavits, called Rajah Mustapha Khan?

A. I have not the least Recollection of him at present; I might possibly at the Time know him, but I do not now recollect the Name.

Q. Do you recollect a Person described as the Rajah of Gwallior?

A. I do not.

Q. Do you recollect a Person who is called the Rajah Guggat Sing.

A. I have not the least Recollection of him.

Q. When you took the solemn Declaration of the Rannee Golaub Kooer, where was that taken?

A. I believe the Question means, taking the Affidavit of the Mother of Cheit Sing: That was taken at a Place called Ramnagur.

Q. When you spoke about the Rebellion, which was as notorious in that Country, as the Rebellion in Scotland was notorious in London in the Year 1745, did you mean to speak of the Rebellion of Cheit Sing, or of the Rebellion of the Begums?

A. What I meant to say was this, that it was as much in Conversation, as a notorious Fact, that there was a Rebellion of the Begums, as that there was a Rebellion in 1745. I spoke of it as notorious from Report. I do not take upon myself to know any of the Facts, to prove that there was a Rebellion.

Q. Whether you recollect the Day, or nearly the Day, when you left Chunar to go to Lucknow?

A. I arrived at Lucknow, I think, the 25th of November; I remember I left Chunar upon a Saturday, and that I was detained the Sunday and the greater Part of Monday in the Neighbourhood of Illiabad at a Major Clarke's, for the Want of Bearers to go forward. I then went forward, and, as well as I can recollect, I was Two Nights between Illiabad and Lucknow. The Dates I have not.

Q. You have said, that the Fact of Swearing was all you meant to authenticate?

A. Certainly.

Q. Do I understand you to mean by that Expression, the Fact of Swearing as to the Substance of the Affidavit?

A. The Fact of Swearing, that that Affidavit delivered to me was true.

Q. You have said, that before any Person was sworn before you (I am speaking of any Native) he was asked, whether the Substance was true?

A. I was asked that Question, whether that was not put to them; I believe my Answer was, either that, or something to that Effect.

Q. Who had you with you, that understood the Hindostan Language?

A. I understand the Hindostan Language, much more than for such a Purpose; both Hindostan and Persian, much more than for that Purpose.

Q. What additional or greater Weight do you think was given to an Oath, simply taken by you, and tendered in the Manner you have described, than there would have been, if taken by any other Person capable of administering an Oath?

A. I do not know any Person that was capable of administering an Oath. My Idea was, that though I was beyond my Jurisdiction, yet, as I was a public, well-known Character, it would not be doubted, if I authenticated the Fact of the Affidavits having been sworn to; that it would gain Credit; and had Mr. Hastings dispatched any of the Natives, I should have thought it might bring an Imputation and a Doubt, upon the Veracity and Authenticity of the Affidavits.

Q. Am

Q. Am I to understand, that, if you had not undertaken this Journey to Lucknow, no other Method could have been adopted, to have taken these Affidavits in an equally sufficient Manner, as they were taken before you?

A. I thought that my taking them would have given more Weight: They certainly might have been taken before other Persons; your Lordships will judge, whether that would have given them more or less Weight; according to my Apprehension, my taking them did give greater Weight to the Fact of their having been taken.

Q. Am I to understand, that it was the principal Object of your Journey into the Country?

A. It certainly was not the principal Object of my going to Lucknow; for had it been only for taking Affidavits, I should not have proceeded to Lucknow; but it was the principal Object of my taking a Journey at all.

Q. Would an Equivalent have been granted for the Jaghires to the Begums, or any Terms kept with them, when the Treaty of Chunar was signed, if Mr. Hastings had believed them to be in an actual State of Rebellion?

A. I never heard Mr. Hastings say any Thing upon that Subject.

Q. What is the Distance between Chunar and Calcutta?

A. I think they reckon it to Patna about Four Hundred Miles, and I should suppose, I speak from Guess, that Chunar might be One Hundred and Fifty or Two Hundred Miles from Patna.

Q. How long was you in taking that Journey from Calcutta to Chunar?

A. From Calcutta to Chunar, I did not take my Journey direct. The Occasion of my leaving Calcutta was this. The Governor General and Council had requested me to visit the Stations where the Courts of Justice are kept. For that Purpose I set out from Calcutta. When I had got to Mongheer, in my Way to Patna, One of the Stations I was to visit, I there received a short Note from Mr. Hastings, and a long Letter from Mr. Sullivan his Secretary. Mr. Hastings, in his short Note, acquainted me there had been a Revolution at Benares; but he was in such Agitation, he could not write the Particulars, but referred me to Mr. Sullivan for them; and requested I would, as soon as possibly I could, after the Troubles were subsided, so as I might travel safely, come to him at Benares. I went to Patna, and the Troubles of the Country made my Mission to that Place, with respect to the Adawlut, the Courts of Justice, totally abortive. I then staid, I believe, Four or Five Days. All the English in the Country were much alarmed, and were near quitting Patna. I was apprehensive my quitting Patna, immediately upon coming there, would spread the Alarm more. I therefore remained at Patna, to give a Confidence to the People, longer than I should have done if I had consulted my own Safety. I then returned to Bagleapore, at which Place I received several Letters from Mr. Hastings, who was then confined in the Fort of Chunar. He sent many of them by secret Messengers, some inclosed in Quills. The last Letter I received from Mr. Hastings informed me that the Country was quiet, and pressed me to come up; and every Letter I received from Mr. Hastings was more and more pressing to me to come up, on Account, as I understood, of the Exigencies in which he then was. During the Time that I resided in Calcutta, as I held a very high Office, I did not think my Duties to the State always satisfied, simply by the Execution of my Office. If I could serve the State any otherwise, I thought it my Duty to do it; and there are many and many Instances in which I have done it. This is One of those Cases which I thought called upon me, and for that Reason I attended Mr. Hastings at Benares, conceiving the Difficulty he was in was the Reason of his calling me there, to consult with me what he should do. That was the Occasion of my going up to Benares, and that was the Occasion of being a long Time upon my Journey; and though it is thrown out as degrading to me, bearing the Office of Chief Justice of Calcutta, that I condescended to be the private Secretary and Amanuensis of Mr. Hastings, acting from the Impressions I did, I felt it very differently: I felt that, in the Situation I was in, it was a Duty incumbent on me to give every Assistance I could to Mr. Hastings, and every Assistance to the State: And with that View I attended Mr. Hastings; with that View I went to Lucknow; with that View I took the Affidavits; and with that View I gave the Opinion I did to Mr. Hastings: That this is not a solitary Action of mine, if the Annals of the East India Company are examined, will be seen upon them; it will be found, that in many Instances, and in One in particular, in which the House of Commons thought that I took a particular Responsibility upon myself, I was not afraid of that Responsibility, when I knew I did Service to my Country.

Q. Did you hear of those Troubles at Benares first at Calcutta?

A. I did not: I left Calcutta soon after Mr. Hastings left it. I say soon; it may be a Fortnight, Three Weeks, or a Month.

Q. How far is Mongheer from Patna?

A. Mongheer from Patna, I take to be about Fourscore Miles.

Q. I wish to know your Reason for giving the Advice you did, after taking the Affidavits: Did you conceive it to be your Duty?

A. I did not conceive it to be my Duty.

Q. Acting

Q. Acting in the Capacity of Mr. Hastings's Adviser and Instrument, you have declared your Opinion, that the Rebellion was the only justifiable Ground for seizing their Treasures; to suggest which to Mr. Middleton, was one of the Objects of your Journey to Lucknow?

A. I did not say, I acted as an Instrument to Mr. Hastings.

Q. But you acted as his Adviser?

A. I certainly did.

Q. Did you consider it as material to you, to know the Contents of the Affidavits that were taken for the Purpose of verifying the Rebellion, and to judge of the Propriety of the Advice you had given, or were afterwards to give, respecting the Rebellion.

A. I did not. I gave my Advice hypothetically, that if the Facts are so, the Consequences follow. I did not assume to know the Facts; I would not have taken upon myself the Responsibility of saying, these Facts are so, and draw the Consequences too.

Q. (*from a Lord*). Whether you advised Mr. Hastings to obtain Affidavits, for the Purpose of enabling him to segregate such only as should answer his Purpose.

A. No, I did not; it was for the Purpose of ascertaining the Facts in his Narrative. My Advice was generally for him to get Affidavits to authenticate the Facts; what Use Mr. Hastings would make of them afterwards I was not answerable for: I meant he should take Affidavits of the Facts, and annex them to his Narrative.

Q. Whether you have any Means of ascertaining, whether all the Affidavits you took are published in Mr. Hastings's Narrative; and whether all the Contents of such as are annexed to the Narrative are fully given?

A. None at all; I thought Mr. Hastings a Man of Veracity, and that he would publish the Whole.

Q. In the Advice you gave Mr. Hastings, how did you intend the Publick should be satisfied that the Affidavits were published as they were taken?

A. I thought the Publick would give that Credit to Mr. Hastings that he had published the Affidavits as they were brought; Credit must be given somewhere; if no Credit whatever is to be given, I do not know how any Facts can be authenticated.

Q. Whether it would not have contributed more to authenticate the Facts to the Publick, if you yourself had examined into the Facts, and added the Weight of your Character and Situation to the Examination?

A. No, I think not; because I think it would have been a very extraordinary Transaction; and that I should have acquired more Imputation upon myself than Authenticity to the Affidavits.

Q. Whether you think Mr. Middleton could not have done exactly what you did by going there?

A. I do; but Mr. Middleton was Mr. Hastings's confidential Agent; and I should doubt much whether the same Credit would be given to Affidavits, which he might have given his Sanction to, as would be given to Affidavits to which I gave my Sanction.

Q. Did you know, at the Time you took those Affidavits, whether there was any Idea of a Prosecution commenced or intended by the House of Commons against Mr. Hastings?

A. As to the Idea of a Prosecution, certainly not; I thought the Revolution of Benares so extraordinary an Event, that it would probably be very strictly inquired into; with respect to the Affair of the Begums, I thought it so clear, that no Inquiry whatsoever would be made into it.

Q. Had you at that Time heard of any Inquiry likely to be made into Mr. Hastings's Conduct in India?

A. I am not quite sure whether I heard it then, or whether I heard it soon after my Return to Calcutta; but certainly, something very near the Time, it was known in India that there would be an Inquiry into the Conduct of Mr. Hastings.

Q. If that was the Case, was it not particularly prudent for Mr. Hastings, under those Circumstances, to take every legal Method to prove the Rectitude of his Conduct?

A. That Idea was very strongly impressed upon my Mind.

Q. (*by a Lord*.) Whether you declared that the Idea of seizing the Treasure of the Begums originated with you, and was not a Measure proposed by Mr. Hastings to you, for your Opinion, before the Business; or, on the contrary, whether the Measure was suggested by you to Mr. Hastings?

A. It originated in a Conversation with Mr. Hastings; I am not certain whether the Idea originated with me or with him, but the Inclination of my Opinion has always been that the Idea originated with me; I have certainly had Reason, from subsequent Conversations, to think that I may have been mistaken, for I understand that Mr. Middleton did not so understand it; I thought when I communicated it to him it was new to Mr. Middleton, but in my Conversation with Mr. Middleton, he seemed to think it was not new at that Time. I have had a very recent Conversation with a Gentleman very much concerned in the Affairs of Mr. Hastings, Major Scott, and from him I am told that the original Idea came from a Man of the Name of Ibrahim Cawn, employed

ployed by Mr. Hastings at Benares after the Revolution, but I thought at the Time it originated with me, from the Manner in which Mr. Hastings received it; and whether it was so or no I cannot positively say.

Q. (*by the Managers.*) In Mr. Hastings's Second Defence there is this Passage: "The Fact undoubtedly is, that not only in consenting to the Seizure of the Treasures on the Nabob's first Requisition to me, on the 2d of December 1781, but in strenuously encouraging and supporting the Measure, so far as to desire Sir Elijah Impey, on his leaving Chunar, in November 1781, to mention the Subject, as from me, to Mr. Middleton, for the express Purpose of desiring him to converse upon it with the Nabob, and even to encourage the Nabob to make the Proposition to me (a)." The Fact undoubtedly is so, says Mr. Hastings. Now I wish to know, whether you now disbelieve the Fact so averred by Mr. Hastings?

A. I believe the Whole of it; but I cannot reconcile it to my own Mind, that there was any Proposition to Mr. Middleton, to propose it coming through the Nabob. I have had Conversation with Mr. Middleton since upon the Subject, and Mr. Middleton has told me the Nabob was ever desirous of seizing the Begums Treasures, and, before the Rebellion, he wanted to do it. Mr. Middleton is here, and will be able to give a better Account of that. There is a Part in one of my Letters which seems to contradict that, because I there wrote to Mr. Middleton, that what the Nabob had proposed Mr. Hastings highly approved, and would have himself advised. I cannot reconcile that with my having procured the Proposition, through Mr. Middleton, from the Nabob, because my Letter says, If the Nabob had not proposed it, Mr. Hastings would.

Q. Do you recollect Mr. Middleton to have said in his Letter, "Your Pleasure respecting the Begums I have learned through Sir Elijah Impey?"

A. Certainly.

Q. Can you doubt you took that Pleasure from Mr. Hastings to Mr. Middleton?

A. No: But that it was proposed by Mr. Middleton to the Nabob, that the Nabob should make the Proposition, I do not recollect: It might have been so, that Mr. Middleton might have done so; but I do not recollect or believe that any Thing of that Kind passed between Mr. Middleton and me.

Q. I understand you then directly to contradict this undoubted Fact as stated by Mr. Hastings?

A. I do not mean to contradict the Fact, or admit the Fact: I give my Evidence: If that Evidence either supports or contradicts it, that is in the Judgment of the Lords.

Q. You have stated, as a Justification for your going to Lucknow to take those Affidavits, that you conceive a considerable Suspicion would have attached upon the Circumstance, if they were taken by Mr. Middleton as the confidential Agent of Mr. Hastings: I wish to know, whether the Circumstance of Mr. Middleton's drawing up the Affidavits, and bringing all the Witnesses to you, did not make the Transaction equally liable to Suspicion?

A. I do not know that those Facts existed, that Mr. Middleton did draw the Affidavits, or bring the Witnesses.

Q. That is, upon your own Evidence?

A. I hope your Lordships will give Leave for that to be cleared up. I have not said that they were drawn up by Mr. Middleton: I beg that to be cleared up: For if I said so, I undoubtedly did it without any Authority; because I know of no Fact to lead me to understand that Mr. Middleton or Mr. Johnson drew them.

Then the following Question and Answer were read by the Clerk (*b*).

Q. Who introduced to you the Witnesses that were to depose?

A. I believe that most of the Witnesses were introduced by Mr. Middleton or Mr. Johnson; as well as I can recollect, I had with me no Moonshy, that is, an Interpreter, nor any Servant who could act in that Capacity.

The Managers for the Commons observed, that was not the Passage they alluded to.

The Witness said,

A. Without your Lordships having the Trouble to refer to that Book again, I beg Leave to have it as Part of my Deposition; that if I have, by Mistake, said so, I did not mean to say so, and had no Authority to say so; taking upon me the Chance whether I did say so or not.

Q. Did you take any Deposition of Hoolas Roy at Benares?

A. I do not know that I did; if it appears amongst the Affidavits I undoubtedly did: I have observed Hoolas Roy is a Name mentioned to me in the Memorandums, I before said I had from

(a) Vide supra, Page 366, Par. 3.

(b) Vide supra, Page 631.

Mr. Middleton, therefore I recollect the Name ;—" Hoolas Roy, of Fyzabad, ordered to wait upon the Governor at Chunar ;"—I have that Memorandum, that is all I know of it ; possibly I did take that Affidavit.

Q. Whether you have ever heard any Cause assigned, why that Affidavit was suppressed, and did not appear amongst the others ?

A. I do not know that it was suppressed ; the Fact of taking it I am not sure of : All I know of it is, I have a Memorandum from Mr. Middleton, that he was ordered to attend at Chunar.

The Managers for the Commons desired, the following Passage from the Solemn Declaration of the Rannee Golaub Kooer, might be read ; the same was read from the Appendix to the Benares Narrative, already delivered in.

" With Respect to Cheyt Sing's having, from of old, an improper Correspondence with the Begums at Lucknow, and the Rajah of Barraitch and Gooruckpore, the Declaration of the above Rannee is as follows :

' Since two Years, on Account of the Enmity of Cheyt Sing to me, I had left Ramnagur and resided in another Dwelling ; and Cheyt Sing had always acted towards me with such Enmity and Opposition, as cannot be described—How therefore should he have acquainted me with his Correspondences ? But I have heard, from Report, that he had in many Places improper Correspondences (a)."

Then the following Question was put to the Witnesses :

Q. This Testimony appears to be upon Interrogatories ; by what Means did this Deposition come in this Shape, and whether it was not in Answer to Interrogatories put to the Rannee ?

A. I have not the least Recollection of any Interrogatories being put to the Rannee : I remember attending at Ramnagur, and being led to a little Door with a Curtain over it, behind which she sat, and I there took the Attestation ; I have not the least Recollection that it was by Interrogatories, I should rather think not.

Q. (from a Lord.) You have spoken of the Manner in which you think Mr. Hastings received the Proposition for seizing the Begums Treasure ; state to the Court, what was the Manner in which Mr. Hastings received the Proposition for seizing the Treasure.

A. I only recollect in general, that Mr. Hastings did not mention it as a Thing that he had thought of before ; I understood, in that Conversation, it was new, by his not making the Observation, that he had thought of this Subject before, or something of that Kind.

Q. (from a Lord.) As you have said, that you could not answer the Question asked, relative to what Age a Person ceased to be a Minor, without looking into your Memorandums ; I wish to ask, whether you have in your Possession any Paper, by inspecting which, you can give us certain Information upon the Subject ?

A. If I said Memorandums, I meant rather to look into Books of the History of the Country, and Accounts of their Laws ; I do not know that I have any particular Books, that other Gentlemen are not furnished with ; I believe it is a Fact very easily ascertained.

Q. You have stated, that the Revolution of Benares appeared to you of so much Consequence, that it was very probable it might be, and would be enquired into very minutely ; and you have added, that the Facts respecting the Begums were so clear, you did not expect any Inquiry was likely to take place upon that Subject : What is the Idea you entertained of the Facts respecting the Begums being so clear ?

A. I meant only, that I then understood it was notoriously known, that there had been a Rebellion, and I understood the Proposition, that the Prince of a State may seize the Effects of any Subjects that are in Rebellion, to be a very clear Proposition ; I had in my Mind also, no Doubt of the Rebellion.

Q. Had you any other Cause of Knowledge, respecting the Facts you now describe, except the common Report of the Country ?

A. I had no other Knowledge whatever but that Report ; I must likewise say I collected that Report also very much from Conversation with Mr. Hastings, with whom I conversed much more than with any other Person at Chunar ; People continually coming in were telling of it, and all reported, in the same Manner, that there had been a Rebellion ; I never heard it contradicted, nor the least Surmise thrown out that the Reports were not true.

Q. What do you mean by the Word Rebellion, as applied to the Begums ?

A. I applied the Word Rebellion in two Senses : one, the direct Meaning of the Word Rebellion, the other, which has not so direct a Meaning : I understood the Begums to be in Rebellion against the Nabob, I understood them likewise to be in a Conspiracy to extirpate the English ; the latter probably may not be so properly called a Rebellion.

Q. Whether you did not make the following Answer to a Question put to you upon a former Examination: "What was Mr. Hastings's Condition at that Time?" A. "I have before stated to the Committee what Mr. Hastings had himself said of his Situation. The Company's Affairs were at that Time, to all Appearance, in a very ruinous Condition. To retrieve the Condition of the Company was the professed Object of Mr. Hastings in going up the Country; his principal Objects were Resources from Benares and Oude: At Benares he had been defeated of his Purpose, a horrid Massacre had taken Place there, a Revolution had taken Place at Benares. Mr. Hastings was lately released from a Confinement in the Garrison at Chunar; the whole Country of Oude had been in Arms, and Part of it was still so; he was likewise defeated in his Purpose of going up to Oude, having obtained Nothing for the Company; he had incurred great Responsibility from the Events that had happened; that was the State Mr. Hastings was in, which I conceived to be that of real Distress." I wish to know if that was not the Witness's Answer?

The Counsel for the Defendant objected to the Question.

Q. Tell now, according to your Memory, what was Mr. Hastings's Condition at Chunar?

A. I certainly understood his Condition to be that of real Distress.—To the last Question that was asked me before I retired from your Lordships Bar, when I was here before, with respect to the Manner of enforcing Debts of Women, I then said, I did not know officially, but I recollected afterwards that I had by me Proof of what it was; and that is likewise the Subject-matter of a Letter to the Secretary of State. The Manner is, if they want to enforce Debts from Women, they enclose their Habitations with a great Number of Hircarrahs, and they starve them to a Compliance.—I must beg Leave, before I retire from your Lordships Bar, to make an Observation with respect to the particular Predicament in which I stand, and from thence your Lordships will judge what Credit my Testimony deserves; and I hope, by stating it to your Lordships, it will save the Honourable Managers a considerable Degree of Trouble in taking from the Force and Credit of my Testimony. I am at present charged by an Honourable Member of the House of Commons with a Conspiracy with Mr. Hastings to murder Nunducumar; I am likewise charged before the House of Commons with having collusively and corruptly taken an Office; I am, which is much more material, charged before the House of Commons upon the very Facts to which I have been this Day examined.—Of my Credit your Lordships will judge from these Circumstances; but I have a Matter of Complaint to make to your Lordships, which I desire to be received in the Nature of a Protest; and that is, that in the Impeachment against Mr. Hastings, I am stated to have acted an odious and treacherous Part with regard to the taking of these Affidavits. I am not at present impeached before your Lordships, I therefore have no Opportunity to answer that Charge; I beg therefore it may stand upon the Minutes, as it does upon the Impeachment, that I make my Protest against having been charged where I cannot answer. This comes the more heavy upon me, because it comes from a great Authority, the Managers for the House of Commons.

The Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

Die Mercurii, 7^o Maij 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons stated, that One of the Charges against the Princesses of Oude being, that they principally excited the Commotions in Baraitch and Gorruckpore, they should next proceed to shew, that those Commotions existed long before it was pretended the Begums had shewn any Marks of Disaffection, and that they were intirely owing to other Causes, and principally to the Conduct of those who accused the Begums.

Read, the following Extract from the Appendix to the Benares Narrative, beginning at Page 8 of the same.

“ By a Despotism so malignant, and a Conduct so offensive, and even dangerous to our Existence, as have been manifested by the Begums, without the smallest Injury or Provocation on our Parts, they have forfeited all Claim to that Protection which we afforded them, in exacting from the Nabob, at the Time that Mr. Bristow assisted him in obtaining 30 Lacks of Rupees from them, a Promise to our Government, that those Ladies should enjoy full Possession of their Jaghires unmolested.—We have a Right to withdraw this Protection when they are no longer worthy of it, and to provide against their Machinations, by a Concession of that Pledge which afforded them the Means of injuring and oppressing us.

“ The Begums will suffer no actual Loss by the Resumptions of the Jaghires, except of an Influence which they have invariably employed to the most pernicious Purposes against One State which had conferred, and another which had secured and protected them (a).”

Then Mr. ROBERT HUDSON was called in, and produced Book 118, intituled, “ Secret Governor General and Council, 13th January to 31st March 1777.”

Read, Extract of a Letter from Mr. Bristow to the Governor General and Council, dated Lucknow, the 22d January 1777, from a Consultation of 17th February 1777, beginning at Page 290 of the same Book.

“ Fort William, the 17th February 1777.

“ At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

Lieutenant General John Clavering,

Richard Barwell, } Et quires.
Philip Francis, }

Secret Dep.
Monday.

“ Another great Abuse which prevails is, the Contempt with which the Vizier's Authority is treated. His Orders are ill executed. His Perwannahs disregarded, even in the neighbouring Districts to the Capital, unless accompanied by similar ones from the Person immediately in Charge of the Province. In some distant Parts of the Country neither his Excellency nor his Aumils are much regarded. The Gurruckpore District particularly, can hardly be said to be under the Vizier's Government, as it is held by Zemindars who pay little Obedience to the Aumils, and discharge their Revenues with great Irregularity.

“ Lucknow,
the 22d January 1777.

(Signed at the End)

John Bristow (b).”

(a) Vide supra, Page 141.

(b) Vide Appendix, N^o LV.

Read, also, Extract of a Letter from Mr. Middleton to the Governor General and Council, dated Lucknow, 11th February 1777, from a Consultation of 26th February 1777, beginning at Page 354 of the same Book.

Secret Dept.
Wednesday.

“ Fort William, 26th February 1777.
“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
Richard Barwell, and } Esquires.
Philip Francis,

“ Extract of a Letter from Mr. Middleton to the Governor General and Council, dated Lucknow, the 11th February 1777.

“ The Country of Gorruckpore, particularly that Part which lies contiguous to the Mountains, although not in actual Rebellion, is so far unsettled, as scarcely to be deemed a Part of the Vizier's Dominions. The Revenue of that District is rated at 560,000 Rupees; but, from the Manner in which the Payments have hitherto been made, I do not apprehend that more than Half that Amount will be realized: And the Reason which the Aumil assigns for this Failure is, the Number of Zemindars on the Confines of the Province, who, being in Possession of Mud Forts, withhold their Revenue, under various Pretexes, until extorted from them by Force. Under these Circumstances, the Charge of the Army necessary to be kept up, in that one District, is almost equal to the Amount of the Collections.

“ Lucknow, (Signed) Nath. Middleton,
the 11th February 1777. Resident at the Vizier's Court (a).”

Read, from Book 54, already delivered in, a Letter from Colonel Hannay to Mr. Middleton, dated November 29th 1780, from a Consultation of 16th January 1781, beginning at Page 155 of the same Book.

Secret Dept.
Thursday.

“ Fort William, 16th January 1781.
“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
And Edward Wheler, Esquire.
Lieutenant General Sir Eyre Coote, K. B. absent on Command at the Presidency of Fort St. George.

“ To Nathaniel Middleton Esquire, Collector of the Vizier's Assignments to the Honourable Company.

“ Sir,

“ I beg Leave to submit to your Perusal the inclosed Copies of Two Letters I had the Honour to address to the late Resident, on the Subject of the Recall of the Battalion of Sepoys of the Second Brigade, which was ordered to assist in the Reduction of Zalim Sing, and the other rebellious Rajahs inhabiting the Country between Goonda and Gorruckpore, and to inform you, that in consequence of its Removal at so critical a Juncture, the Aumil has totally lost his Authority in no less than Thirteen Purgunnahs, and their Collections have been almost entirely stopped for upwards of Two Months; nor can his Authority be established without the Assistance of a Battalion. As this Event involves the Fate of the Company's Tunka upon these Districts, I beg Leave to submit to you the Expediency of procuring him the necessary Assistance as soon as possible.

I have the Honour, &c.

“ November 29th,
1780.

(Signed) Alex. Hannay,
Commanding the Troops stationed for
the Service of the Collections of Gorruckpore and Baraitch (b).”

Read, also, the following Extract from the same Book and same Consultation, beginning at Page 149.

“ Honourable Sir, and Sirs,

“ Conformably to your Instructions I have the Honour to enclose for your Information, Copies of the Letters from his Excellency the Vizier, and my Letters accompanying them, both in Application to the Commanding Officers at Cawnpore and Furryghur, for the Assistance of Two Battalions, to act in the Service of the Collection of the Vizier's Assignments to the Honourable Company. For the Causes particularized in those Letters I shall be careful to return these Battalions upon the earliest Information of their having accomplished the Service required, the precise Period of which it is impossible now to foresee or prescribe.

“ Lucknow,
3d Dec. 1780.

I have, &c.

Nathaniel Middleton, Collector of
the Vizier's Assignments to the
Honourable Company (c).”

(a) Vide Appendix, N° LVI.
(b) Vide Appendix, N° LVII.

(c) Ibid.

Read, also, from the same Book and same Consultation, Extract of a Letter from the Nabob Vizier to Major Crawford, beginning at Page 152 of the said Book.

“ Zalim Sing, &c. Zemindars Krajy are raising Commotions in the Mahals of Amooda, Beraiche Goreepoor, by which great Injury is done to the Sirkar. It is therefore necessary, that on the Receipt of this Letter, you march with your Battalion and cross the River Ganges, where you will, agreeable to the Directions of Colonel Hannay, exert yourself for the Punishment of the Revolters, and the Settlement of all Matters, that the Money due to the Sirkar may be recovered. As the Commotions of Zalim Sing, &c. have already been of long Continuance, it is absolutely necessary that, immediately on the Receipt of this Letter, you cross the Ganges with the Battalion: I shall send another Army for the Affairs of Khirabad, but you are not to wait till their Arrival.

(Signed)

True Copies.

“ N. Middleton (a).”

To prove the high Opinion Mr. Hastings had of Major Naylor,

Read, from Mr. Middleton's Letter Book A, already delivered in, an Extract of a Letter from Major Palmer to Major Naylor, dated 4th November 1781, beginning at Page 40 of the same Book.

“ Extract, dated Benares, the 4th November 1781, from Major Palmer.

“ I have the Pleasure to acquaint you, that the Governor, truly sensible of, and highly approving your Conduct on the late Service, for the Assistance of Colonel Hannay, and Protection of the Country beyond the Gogra, has expressed his Satisfaction to Colonel Morgan, and requested him to continue you on that Service.

“ Major Naylor.

(Signed)

W^m Palmer.”

Read, also, from the same Book, a Letter from Major Naylor to Mr. Middleton, dated Camp, Sakrora, November 1781, beginning at Page 40 of the same Book.

“ Dear Sir,

“ I am advised by Lieutenant Colonel Hannay, that the large Patellas, with Platforms for transporting Ordnance over the several Nullas in these Districts, are his private Property, and that he intends taking them away as soon as it may not be attended with Inconvenience to me.—And advises me there are many of the same kind of Patellas, the Property of the Nabob, sent from Pызabad to cross his Detachment at Byramgaut, to replace them, out of that Number. As I would not chuse to interfere in any Thing the Property of the Nabob, request your Advice thereon.—Since writing the above, I have sent for the Manjy at the Gaut here, to enquire how soon he thinks the Serjoy will be fordable; but, to my great Astonishment, I find the Gaut Boat was taken away two Days ago. Had I had an Idea that they would have been so suddenly taken away, I most assuredly would have taken Steps to have prevented it, until others could have been provided to have replaced them.—The Serjoy and Terce are the only Nullas I have seen, and they will neither of them be fordable for some Time, so that, if I march, I must have the Mortification to be detained making Bridges: The Boats were of a small Value.—I would have paid for them with Pleasure, had I suspected these being withdrawn before others had been provided.—Your Brother, no Doubt, acquainted you with what Readiness I sprung to the Assistance and Relief of Colonel Hannay; and I must say, that I have met with a different Return to what I might have expected.—I received Colonel Hannay's Letter the 7th, that he would not put me to any Inconvenience, and the Boat was taken away from the Serjoy the next Morning. The Boats could not have been of the smallest Service to me, as I am not, nor cannot be, the least apprehensive; and the Aumils will always furnish any that may be wanted for me.

“ Camp, Sakrora,
November 1781.

“ I am, dear Sir,

“ your most obedient humble Servant,

(Signed)

F. Naylor.”

“ Nath. Middleton Esquire.

Read, also, from same Book, a Letter from Mr. Naylor to Mr. Middleton, dated Camp, Sakrora, November 1, 1781, beginning at Page 29.

“ To Nathaniel Middleton Esquire, Resident at the Vizier's Court.

“ Sir,

“ Your's of the 28th Ultimo, I was favoured with Yesterday, as also the Duplicate, which I clearly and perfectly understand; and have now the Pleasure to assure you, that I think there is not the smallest Danger of my not settling the new Aumil agreeable to his Wishes and the Nabob's Intentions; and I request you will signify to the Nabob Vizier my Acknowledgments for this Mark of his Favour, in detaining my Regiment for the Purpose of settling the Troubles in the Provinces of Gooruckpore and Baraich.

"How such an Idea could have operated in the Minds of any People, that there is a Risk of my Regiment not acting here with Safety, I cannot conceive. True it is, that if there was any Risk, it was when I first came to the Relief of Colonel Hannay, when the whole Country had revolted, from one End to the other, and had collected, assisted with several Pieces of Ordnance which they had with them; when Colonel Hannay's People, in Part, had laid down their Arms, and he had not the smallest Dependence on the rest. If there was any Risk, it was then; but so far to the contrary, I marched, when they were collected in the most formidable Body, attacked them, and gave them an Overthrow, taking their Guns, &c. &c.

"My Return from Goonda to this Place, has no Doubt encouraged Hindooput and his Adherents a good Deal; and as the whole Country are waiting impatiently for People authorized to adjust and collect, the sooner the Aumils are arrived here the better, as the Year is now far advanced, and the disaffected Rajahs, &c. are using Violence with the Riots all over the Country.

"I have the Honour to be,

Sir,

"Camp, Sakrora,
November 1, 1781.

Your most obedient humble Servant,
(Signed) T. Naylor."

Read, also, from the same Book, a Letter from Major Naylor to Mr. Middleton, dated Camp Goonda, October 19th 1781, beginning at Page 34.

"Dear Sir,

Camp Goonda, October 19th 1781.

"I did myself the Pleasure to address you the 11th instant: My Regiment is at the End of this Month Three Months in Arrears, and I shall esteem myself obliged, if you will advance me the Month of August's Pay, either upon the Abstracts or upon my Receipt for the Amount, which can be sent as Cash to the Paymaster at Futty Gur: The People keep at a Distance, are in a very distracted Situation, and call out for the proper People as Fouzdars to settle and adjust among them.

"I have the Honour to be,

Dear Sir,

Your most obedient humble Servant,
(Signed) T. Naylor."

Read, also, from the same Book, another Letter from Major Naylor to Mr. Middleton, dated Camp, Sakrora, November 22d 1781, beginning at Page 54.

"To Nathaniel Middleton Esquire, Resident at the Court of the Vizier.

"Sir,

"Your Favour of the 7th instant I did not receive till last Night: It directs me upon a Piece of Service in the District of the Aumil of Goonda, and against Rajah Jallam Sing and other independent Zemindars in that Neighbourhood, who have some of my Harcarras in Confinement, and are gaining Strength every Day. The Aumil Lall Monfookall is not yet arrived from Lucknow, but his Naib informs me, that he is expected the 25th or 26th, with whom I will be prepared to march.

"I am exceedingly in Arrears, and beg the Favour you will address the Aumils to advance me Three Months Pay, and afterwards as it may become due; for which I will grant a Receipt.

"This Country, Barrich, is just now very quiet; I do not hear of any Part of it being in the least Disorder.

"I have the Honour to be,

Sir,

"Camp Sakrora,
November 22d 1781.

Your most obedient humble Servant,
T. Naylor."

To prove that nothing was necessary to re-establish the Tranquillity of the Country, but to restore it to its former Confidence:

Read, from the same Book, another Letter from Major Naylor to Mr. Middleton, dated Camp, Pool Gout, January 8, 1782, beginning at Page 82.

"Dear Sir,

"As I am under the Necessity of sending you the Account of the last Supply of Cash from the Aumil for the proper Batta to be fixed, it is very little Trouble to insert the former Sums, as you have left the Account at Lucknow, that you may adjust the Whole together.

"I have considered since you left me more fully the Matter that I was speaking to you of Rajah Hindooput, and request to refer it to your Consideration.

"That is, as I seized him, and as his Family, since his Confinement, has been frequently deceived, and for which his Brother offers to come to me, but on no Account to the Aumil, as he has paid his full Balance due to the Government, and offers undoubted Security for the Performance

formance of the rest. Whether his being delivered over to me would not in some Measure be the Means of restoring that Confidence to the Nation, of the Name of an European, which has a good deal suffered, and which my assembling his Family (who absolutely refuse to go near the Aumil), and Securities, &c. together, may not have the wished-for Effect.

" Indeed, by this Negociation, I shall endeavour to call in Rajah Zallam Sing, on a Promise of Forgiveness, to join in this general Amnesty, and I have great Hopes of Success.

" A Mediation of this Nature, I flatter myself, is much to be wished for; for while these independent People are allowed to act as they do, which is much to be wished for by the Aumils, they never want an Excuse for a Deduction in their Rents.

" You will perceive, that I by no Means propose either to know or interfere with the Argument of the Terms entered into, or that I wish to become a Party in the Receipt or Knowledge of the Rents.

" As there is nothing contained in this more than restoring a little Confidence among them, and as I have been a Party from the Commencement of these Troubles, it will be placing me in the Point of View amongst them that I would wish to appear in.

" Camp, Pool Gaur,
January 8, 1782.

" I am,
Dear Sir,

Your most obedient humble Servant,

(Signed) F. Naylor."

" To Nathaniel Middleton Esquire.

Read, from the same Book, a Letter from Mr. Hall to Mr. Middleton, dated Camp, Sacrora, June 20th 1782, beginning at Page 33.

" To Nathaniel Middleton Esquire, Resident, &c.

" Sir,

" I had the Honour of addressing you Yesterday; since then, the Village People are much changed. I understand they are dispersed, and taken to their Habitations. I had an Opportunity, Yesterday and the Day before, of shewing some little Acts of Generosity to the Prisoners; particularly in giving some of them Money to purchase their Freedom from Sookal, when they might go back to his Prison. Whether these Acts of Attention to the wretched State of these People, or Fears from our further and immediate Resentment, have operated * on the Sardars in the Villages, I cannot say; but I have had, To-day, Grats sent into Camp without sending for it; with Bramins from most of the Villages, assuring me, that I shall never find any further Trouble in this District. From the great Pains I take to give the most convincing Proof, that Justice, Moderation, and Humanity, are the Rules of our Conduct, I hope these People will regard us in a more favourable Light than to intend, far less attempt, to quarrel with our Sepoys or Followers. • See in Orig.

" I inclosed my Address to you last Night to Major Naylor; but, lest he should be returned to Camp, I send this directly to yourself.

" I have the Honour to be, with all Respect, Sir, your, &c.

(Signed)

Thomas Hall,

" Camp, Sakrora, June 20th 1782.

Commanding 23d Regiment."

Then the Managers for the Commons acquainted the House, they should next read a Passage from Mr. Hastings's Comment upon the Treaty of Chunar; that in the Letters just read, the Persons, in the Way of receiving the best Information upon the Subject, respecting the real Cause of the Commotions in Gooruckpoor and Barraitch, never once mentioned the Begums, or supposed they were at all concerned in it; and that the Passage about to be produced would shew, Mr. Hastings himself attributes it to the real Cause to which it was owing, namely, the Hatred of the Natives against the English, which was well warranted by their Misbehaviour.

Read, the following Extract from the Appendix to the Benares Narrative, beginning at Page 6 of the same.

" Notwithstanding the great Benefit which the Company would have derived from such an Augmentation of their Military Force, as these Troops constituted, ready to act on any Emergency, prepared and disciplined without any Charge on the Company, as the Institution professed, until their actual Services should be required, I have observed some Evils growing out of the System, which, in my Opinion, more than counterbalanced those Advantages, had they been realized in their fullest Effect. The remote Stations of those Troops, placing the commanding Officers beyond the Notice and Controul of the Board, afforded too much Opportunity and Temptation for unwarrantable Emoluments, and excited the Contagion of Peculation and Rapacity throughout the whole Army. A most remarkable and incontrovertible Proof of the Prevalence of this Spirit has been seen in the Court Martial upon Captain Eiskine, where the Court,

composed of Officers of Rank and respectable Characters, unanimously and honourably, most honourably, acquitted him upon an acknowledged Fact, which, in Times of stricter Discipline, would have been deemed a Crime deserving the severest Punishment (a)."

Read, also, the following Extract from the same Appendix, beginning at Page 7.

" With respect to the Removal of the Company's Servants Civil and Military, from the Court and Service of the Vizier, I was actuated solely by Motives of Justice to him, and a Regard to the Honour of our national Character. In removing those Gentlemen, I diminish my own Influence, as well as that of my Colleagues, by narrowing the Line of Patronage, and I expose myself to Obloquy and Resentment from those who are immediately affected by the Arrangement, and the long Train of their Friends and powerful Patrons. But their Numbers, their Influence, and the enormous Amount of their Salaries, Pensions, and Emoluments, were an intolerable Burthen on the Revenues and Authority of the Vizier, and exposed us to the Envy and Resentment of the whole Country, by excluding the native Servants and Adherents of the Vizier from the Rewards of their Services and Attachment (b)."

To prove the Confusions that prevailed in the Vizier's Dominions in the Year 1782:

Read, from Book 80 already delivered in, Extract of a Letter to the Governor General, signed John Bristow, Resident at the Vizier's Court, and dated Lucknow, 12th December 1782, from a Consultation of 12th May 1783, beginning at Page 640 of the same Book.

Secret Dept.
Monday.

" Fort William, 12th May 1783.
" At a Council; Present,
Edward Wheler, and } Esquires.
John Macpherson,

" Third Head.—First their Government.

" State of the Vizier's Dominions.

" Despotism is the Principle upon which every Measure is founded, and the People in the interior Parts of the Country are ruled at the Discretion of the Aumil or Phouldar for the Time being. They exercise within the Limits of their Jurisdiction, the Powers of Life and Death, and Decisions in Civil and other Cases in the same Extent as the Sovereign at the Capital. The Forms prescribed by the ancient Institutions of the Mogul Empire are unattended to, and the Will of the provincial Magistrate is the sole Law of the People. The total Relaxation of the Vizier's Authority, his Inattention, and Dislike to Business, leave the Aumils in Possession of this dangerous Power, unawed, uncontrouled by any Apprehension of Retrospection, or the Interference of Justice. I can hardly quote an Instance since the Vizier's Accession to the Musnud of an Aumil having been punished for Oppression, though the Complaints of the People, and the State of the Country, are notorious Proofs of the Violences daily committed. It is even become unsafe for Travellers to pass except in large Bodies; Murders, Thefts, and other Enormities shocking to Humanity, are committed in open Day.

" Every Zemindar should be constituted the Magistrate in his Zemindarry, and collect the Revenues according to certain established Rates, recorded in the Cutcherry, and published throughout the District. The Aumil should be the controuling Power between the Ryot and the Zemindar, should enforce the Regulations, see Peace and good Order preserved in the several Zemindaries, and make the Zemindars accountable for all Tumults, Thefts, and Murder, within their Jurisdiction. In great Towns there ought to be a Cutwall or Haakum to distribute Justice.

" Such has been the System of this Government, that the Oppressions have generally originated with the Aumils. They have been rarely selected for their Abilities or Integrity, but from Favour, or the Means to advance a small Sum upon being appointed to their Office. The Aumil enters upon his Trust, ruined in Reputation and Fortune; and unless he accomplishes his Engagements, which is seldom the Case, Disgrace and Punishment follow. Though the Balance of Revenue may be rigorously demanded of him, it has not been usual to institute any Enquiry for Oppression. The Zemindars, thus left at the Mercy of the Aumils, are often driven to Rebellion. The Weak are obliged to submit to his Exactions, or fly the Country; and the Aumil, unable to reduce the more powerful, is compelled to enter into a disgraceful Compromise. Every Zemindar looks to his Fort for Protection; and the Country is crowded with them. Almas Ally Cawn, there are not less than Seven hundred in his Districts: Hence it has become a general Custom to seize the Brother, Son, or some near Relation, or Dependent, of the different Zemindars, as Hostages for Security of the Revenue. A great Aumil will sometimes have Three or Four hundred of these Hostages, whom he is obliged to confine in Places of Security.

(a) Vide supra, Page 140.

(b) Vide supra, Page 141.

" A few Men like Almas Ally Cawn, and Coja Din ul Dun, have, from their Regularity in the Performance of pecuniary Engagements, rendered themselves useful to the Vizier. A strict Scrutiny into his Affairs was at all Times irksome to his Excellency; and none of his Ministers or Officers about his Person possessing the active persevering Spirit requisite to conduct the Detail of Engagements for a Number of small Farms, it became convenient to receive a large Sum from a great Farmer, without Trouble or Deficiency. This System was followed by the most pernicious Consequences: These Men were above all Controul; they exacted their own Terms; and the Districts they farmed were most cruelly oppressed. The Revenue of Rohilcund is reduced above a Third; and Almas Ally Cawn's Administration is well known to have been extremely violent.

" The foregoing Representation of the State of this Government, will, I hope, satisfy you of the Difficulty in collecting the Revenues. A very strong Military Force will be required to preserve the Country in Peace.

" The Number for which Funds are at present allotted, would, in my Opinion, amply suffice, if it existed; but I suppose not Two Thirds of the Men kept upon the Books are actually entertained. The Discipline and proper Application of this Force will become a Matter of serious Consideration. I do not mean to propose they should be put under the Command of British Officers, as a very extraordinary Expence would attend that Measure, and I do not think the Service of the Collections would be so well executed. The Troops now in the Vizier's Service are ill paid, and ill appointed, not owing to the Want of Means, as I think. When I shall forward you the Statements I have been so long endeavouring to complete, you will judge them adequate to every Service, if not dissipated and squandered away. The Evil originates in the Want of Checks upon the Disbursements to the Army, of proper Officers and Commissaries, to see them duly appropriated.

" The same Inconveniencies exist in the Receipts of the Vizier's Revenue, and other Branches of his Government, in the general Department. Offices of Collections and Treasury, and Courts for the Administration of Justice, ought doubtless to be established. In a Duty of so delicate a Nature, as the Execution of your Commands on this Head, I must necessarily expose myself to the Opposition of Persons interested in the Continuance of the Abuses.

(At the End),

" Lucknow,
12th December 1782.

John Bristow,
Resident at the Vizier's Court." (a)

The Managers for the Commons acquainted the House, they should now shew that Mr. Hastings himself admitted, that the Rebellion of the Zemindars continued after depriving the Begums of their Treasures, and Colonel Hannay was then negotiating for it.

Read, from the same Book, Extract of a Consultation, of 21st April 1783, beginning at Page 289.

" Fort William, 21st April 1783.

" At a Council; Present,

" The Honourable Warren Hastings, Esquire, Governor General, President.

Edward Wheler, } Esquires.
John Macpherson, }
John Stables, }

Sir Eyre Coote gone to Fort St. George.

" The Governor General desires, that his Instructions given to Mr. Bristow, which were read to the Members of the Board, and minuted in Consultation on 24th October last, may be now entered and prefixed to the accompanying Letter:

" To Mr. John Bristow.

" Sir,

" Par. 8. From the Practice which the late Resident and his Deputy, and the Minister, seemed to have prescribed to themselves of with-holding all official Information from me, I have been under the Necessity of forming my Opinion of the State of the Nabob's Government upon private Intelligence; but this, from its Variety, from its Concurrence, notwithstanding the various Channels through which it has passed, and above all from its Notoriety, comes to me with all the Weight which the highest Authority could give it. For some Facts I have the Testimony of sworn Evidence, such are the Transactions of the Rebel Zemindars of Gooruckpoor and Bareach in the Insurrections of the last Year, which had for their immediate Object the Destruction of Colonel Hannay and the Officers of his Command, and ultimately, the Extirpation of the English Influence and Power throughout the Whole of the Nabob Vizier's Dominions. The Zemindars who distin-

guished themselves on this Occasion were Zalim Sing, Genoo Roy, and Perly Pall Sing. I am well informed that these Men have persevered in their rebellious Conduct, without Deviation, to the present Time, though the Nabob's, and not our Government, is the Object of it. Represent to the Nabob, and effectually, the bad Policy of suffering such Examples to pass with Impunity. Obtain his Order for employing some sure Means for apprehending these Zemindars; and if it shall appear, on a fair and regular Enquiry, that their Conduct towards the Nabob (I pass over that which regards ourselves alone) has been such, as it has been reported to be, he ought, and you must insist upon it, to punish them with Death; and to treat * them with the same Rigour every Zemindar and every Subject who shall be the Leader of a Rebellion against his Authority. Severe as this Injunction may appear at first Sight, it will be Mercy in its Effects, if the Nabob will adopt the Policy, by insuring the Tranquillity of his Country, and saving the Blood of his People; for the Resolution once published, and enforced in a single Instance, will make it unnecessary to prosecute it to a second Example.

* Sic in Orig.

" 9th. I have been informed by the late Colonel Hannay, that some Time before his Recall was determined, he had agreed to a Settlement of 23 Lacks of Rupees complete, and without Deductions, for the Revenue of Gorookpore and Bareach for the present Year, and that on his Recall a new Arrangement had taken Place, in which a Selection had been made of the most valuable Talooks or Portions of this District, and that they had been distributed among the Domestics and other Favourites of the Minister; and that the Rest had been farmed to One Aumil, Abdool Beig, as I recollect, and the Whole reduced to a Jumma of 18 Lacks, from which a Provision of future Remissions was made for Seebundjie Anticipations and Pimauly, or Ravages committed during the late Insurrections. These are Facts of such a Kind, as will confirm themselves by their own Evidence; and if you find them to be such, it must be your Care to correct the Abuse, if you can, for the present, or at least to apply the best Remedy in your Power to it, and restore their future Jumma to its real Value. I shall not enter further or more minutely into the Subject of the general Collections; but I am particularly solicitous to ascertain the real Value of this District, for a Reason which I will proceed to explain.

" Fort William,
23d October 1782.

(At the End)

Warren Hastings (a)."

To shew the Vizier's Opinion of Colonel Hannay, and his Management of the Districts committed to his Care, the Witness produced Book 46, intituled, " Persian Correspondence, Publick Department, N° 8."

Read, a Letter from the Vizier to the Governor General, received 15 September 1782.

" N° 37. My Country and House belong to you; there is no Difference. I hope that you desire, in your Heart, the Good of my Concerns. Colonel Hannay is inclined to request your Permission to be employed in the Affairs of this Quarter. If by any Means any Matter of this Country, dependant on me, should be intrusted to the Colonel, I swear by the Holy Prophet that I will not remain here, but will go from hence to you. From your Kindness, let no Concern dependant on me be intrusted to the Colonel; and oblige me by a speedy Answer, which may set my Mind at ease."

The Managers for the Commons stated, that the Letter, an Abstract of which was about to be read, was the Governor General's Answer to the Vizier.

The Witness produced Book 130, intituled, " N° 15, Persian Correspondence, Publick Department. Letters written in the Year 1782."

Read, Extract from the same, as follows.

" To the Vizier.

Written the 31st December 1782.

" 53. Assuring him, that no Intention was ever formed, of employing Colonel Hannay at Lucknow; and that he was preparing to leave this Country for Europe at the Time of his Death."

To prove Mr. Hastings's Opinion of the Agents he sent, and the Purposes for which they were employed,

Read, from Book 131, already delivered in, Extract of a Letter from the Governor General to the Court of Directors, dated Benares, October 1784.

" My only remaining Fear is, that the Members of the Council, seeing Affairs through a different Medium from that through which I view them, may be disposed, if not to counteract the System which I have formed, to withhold from it their Countenance and active Support. While I

myself remain, it will be sufficient if they permit it to operate without Interruption; and I almost hope that, in the Event of a new Administration of your Affairs, which shall confine itself to the same Forbearance, and manifest no Symptoms of intended Interference, the Objects of my Arrangements will be effectually attained; for I leave them in the Charge of Agents whose Interests, Ambition, and every Prospect of Life, are interwoven with their Success, and the Hand of Heaven has visibly blest the Soil with every elementary Source of progressive Vegetation. But if a different Policy shall be adopted; if new Agents are sent into the Country, and armed with Authority for the Purpose of Vengeance or Corruption, to no other will they be applied; if new Demands are raised on the Nabob Vizier, and Accounts overcharged on one Side, with a wide Latitude taken on the other, to swell his Debt beyond the Means of Payment; if political Dangers are portended, to ground on them the Pleas of burthening his Country with unnecessary Defences and enormous Subsidies; or if, even abstaining from direct Encroachment on the Nabob's Rights, your Government shall shew but a Degree of personal Kindness to the Partizans of the late Usurpation, or, by any constructive Indication of Partiality and Disaffection, furnish Grounds for the Expectation of an approaching Change of System, I am sorry to say, that all my Labours will prove abortive; for the slightest Causes will be sufficient to deject Minds fore with the Remembrance of past Conflicts, and to elevate those, whose only Dependence is placed in the Renewal of the Confusion which I have laboured with such Zeal to eradicate; and will of course debilitate the Authority which can alone insure future Success. I almost fear that this Denunciation of Effects, from Causes so incompetent as they will appear to those who have not had the Experience which I have had of the quick Sensibility, which influences the Habits of Men placed in a State of Polity so loose, and subject to the continual Variations of capricious and despotic Authority, will be deemed overcharged, or perhaps void of Foundation; nor, if they should come to pass, will it be easy to trace them, with any positive Evidence, to their Connection. Yet it is my Duty to apprise you of what I apprehend, on Grounds which I deem of absolute Certainty, may come to pass; and I rely on your Candour for a fair Interpretation of my Intention.

(Signed at the End)

Warren Hastings (a)."

To prove that the Governor General, in the preceding Letter, did not overstate the Consequences likely to ensue the Mal-administration of the Country of the Vizier, the Witnesses produced a Paper, indorsed, "On the Ganges, 16th November 1787, Letter from E. Cornwallis to the Court of Directors (N° 8), received per Busbridge, 29th April 1788."

Read, the following Extract, Part of Paragraph 3, from the same.

→ ["Par. 3. I was received at Allahabad, and attended to Lucknow, by the Nabob and his Ministers, with every Mark of Friendship and Respect. I cannot, however, express how much I was concerned, during my short Residence at his Capital, and my Progress through his Dominions, to be Witness of the disordered State of his Finances and Government, and of the desolate Appearance of the Country: The Evils were too alarming to admit of Palliation, and I thought it my Duty to exhort him, in the most friendly Manner, to endeavour to apply effectual Remedies to them. He began with urging, as Apologies, that whilst he was not certain of the Extent of our Demands upon him, he had no real Interest in being economical in his Expences; and that, while we interfered in the internal Management of his Affairs, his own Authority, and that of his Ministers, were despised by his own Subjects. It would have been useless to discuss these Topicks with him; but, while I repeated my former Declarations, of our being determined to give no Grounds in future for similar Complaints, he gave me the strongest Assurances of his being resolved to apply himself earnestly to the Encouragement of Agriculture, and to endeavour to revive the Commerce of his Country.] ↗

§ ("Par. 3. And, in order to enable him to be punctual in his pecuniary Engagements with us, "and otherwise to give Ease to his Finances, he likewise promised, not only to disband a large "Number of his own useless Rabble of Troops, but also to retrench a great many of his other superfluous Articles of Expenditure. I think it proper to say, that my principal Dependence for "the Performance of those Promises, rests upon similar Assurances from the efficient Minister, "Hyder Beg Khan, who is undoubtedly the ablest Man employed by the Vizier, and who, there is "Reason to expect, will, from Considerations of personal Interest and Safety, be at great Pains to "avoid giving just Cause of Complaint to this Government. He knows, in particular, that it is "to him I look for the punctual Discharge of our annual Subsidy of Fifty Lacks; and, though I "am sensible that, for some Time to come, there may frequently be Difficulties, I trust that they "will never more fall considerably into Balance, as I am persuaded of their Anxiety to avoid it.) §

(Signed at the End)

"Cornwallis (b)."

(a) Vide Appendix, N° LX.

(b) Vide Appendix, N° LXI.

Then the Witnesses produced a Paper, indorsed, " No. 14, on the Ganges, November 16th 1787. Letter from Earl Cornwallis to the Secret Committee, received per Bulbridge, 25th April 1788. Read in Secret Court 26th ditto."

Read, the following Extract, from Paragraph 5th of the same.

" Till I saw the Vizier's Troops, I was not without Hopes, that, upon an Emergency, he would have been able to have furnished us with some useful Cavalry; but I have no Reason to believe that he has any in his Service upon which it would be prudent to place any Dependence: And I think it right to add, that his Country appears to be in so ruined a State, and his Finances in so much Disorder, that, even in case of a War, we ought not to depend upon any material Support from him.

(Signed at the End),

" Cornwallis."

To shew the Opinion the Country has of the British Faith, in consequence of Mr. Hastings's Government,

The Witnesses produced a Paper indorsed, " 1787. Fort William Secret and Political Department. Copy of a Succinct View of the State of the political Connections subsisting between Mahadajee Saindeah and the British Government in India, enclosed in Captain Kirkpatrick's Letter to Lord Cornwallis, dated 20th July, recorded in Consultation 28th August, N^o 8. Per Ravensworth, 30th March 1788."

Read, the following Extract from the same.

" Such is the Impression which our former Character and Policy have left on the Minds of the Natives, that, notwithstanding the many Proofs, which our more recent Conduct has furnished, of our being at present directed by a very different Spirit, I am persuaded that neither he nor any other Hindostan Potentate gives me Credit for Sincerity in the Declarations which we have latterly made on this Subject: Time no Doubt might subdue this obstinate Incredulity, but who can certainly say that we shall adhere long enough to our present moderate System for the Purpose of enforcing this Belief (a)?"

The Managers for the Commons stated, that the House having now heard, from the best Authority, what the Opinion entertained by the Country Powers was, of the British Faith, particularly from Madajee Scindia; they should next shew, what Mr. Hastings offered to the House of Commons, concerning that Opinion, in his Defence at the Bar of that House.

Read, the following Extract of the Introduction to Mr. Hastings's Defence, at the Bar of the House of Commons, beginning at Page 5 of the Manuscript.

" If this Honourable House is desirous of knowing, in what Estimation I stood with the Princes and Rulers of India, and with the Subjects of our own Dominion, the Opinions of both may be easily obtained, by Enquiry of the Witnesses whom my Prosecutor has called to establish his Charges against me; and I will anticipate their Evidence. It will state, that my political Conduct was invariably regulated by Truth, Justice, and good Faith; that all Persuasions of Men were impressed with a superstitious Belief, that a fortunate Influence directed all my Actions to their destined Ends; and that my Departure was scarcely less regretted by the Inhabitants of the Provinces of my late Dependency, than it was by my own Countrymen. I believe this House is in Possession of one Testimony of the former, in the Letters which Mahadajee Scindia wrote to his Most Gracious Majesty, and to the Company. These were written many Months after my Departure, and contain much more of my Praise, than his own Wants or Requisitions; unless the former is inserted as an Implication of his Desire, that others may be instructed to govern themselves by my Example: And who will question such an Authority? (b)"

Read, the following Extract of the Defendant's Answer, delivered in at the Bar of the House of Lords, beginning at Page 81 of the printed Copy of the same.

" And he begs leave further to represent, that Letters from some of the said Princes, containing their Acknowledgments of his good Faith, Honour, and Integrity, have been transmitted to his Successor in Office, and to the Court of Directors, and appear upon the publick Proceedings of the East India Company."

(a) Vide Appendix, N^o LXII.

(b) Vide supra, Page 18, Line 20.

The Managers for the Commons acquainted the House, That having submitted to them Evidence respecting the Proceedings in Baraich and Goruckpore, in Refutation of the Charge against the Begums having been concerned therein, they should next proceed to prove, that the Begums never gave the least Assistance to Cheit Sing, but, on the contrary, exerted themselves in favour of the English.

Read, the following Extract from the Second Defence, beginning at Page 2 of the same.

“ The Begums of Fyzabad, prompted by their common Hatred to our Nation, and not much more affected to their own Sovereign, though he was their Son and Grandson, united their Authority and Influence to extend and aggravate our Difficulties. Circular Letters were written to the Zemindars of Oude, inciting them to Rebellion; Rewards were proclaimed for the Heads of English Officers, Soldiers, and Sepoys. A general Revolt ensued, of which their Agents were the principal Leaders, in the Districts of Gooruckpoor and Barrech. The Two chief Eunuchs, and confidential Servants of the younger Begum, openly levied Troops in the great Square of the City, for the avowed Service of Cheit Sing against the English; and these were sent under the Name of Nejeebs to Cheit Sing, and actually employed in his Battles against us.

“ These Facts have been proved by the Depositions of Lieutenant Colonel Alexander Hannay, Major John Macdonald, Captain John Gordon, and many other Witnesses, taken before Sir Elijah Impey at Lucknow and Chunar, within Three Months of the Time in which the Event had passed; and in one of the latter, namely, that of Sheikh Mahomed Aumeen Mheir, a Commandant, and the Second Officer in Command of the Service of Cheit Sing, a List of the Troops which composed Cheit Sing's Force during his Rebellion was delivered by him upon Oath, in which were inserted 1000 Nejeebs or Swordmen, newly entertained from Lucknow, which exactly corroborates the Testimony of Colonel Hannay and the other English Officers, who mention the Recruits enlisted by the Begums Authority at Fyzabad, by the Name of Nejeebs, the Deponent supposing them to have been sent from Lucknow instead of Fyzabad, through an evident Mistake of one Capital for the other. It is worth remarking, that these Depositions were all taken, to establish a Series of Facts combined with the Rebellion of Cheit Sing; and what they have affirmed concerning the Begums was an accessory Subject not required for the original, though probably the most powerful in the Feelings and Recollections of the Deponents, and therefore more particularly noted in the Evidence delivered by them. This is certainly an additional Argument of their Authenticity (a).”

Read, the following Extract of the Appendix to the Banares Narrative, beginning at Page 181 of the same.

“ Translation of the Solemn Declaration of the Ranny Golaub Kooer, made on the 12th Day of November 1781, before Chief Justice Impey.

“ With respect to Cheit Sing's having of old had an improper Correspondence with the Begums at Lucknow, and the Rajah of Bheraich and Gooruckpoor, the Declaration of the above Ranny is as follows.

“ Since Two Years, on Account of the Enmity of Cheit Sing to me, I had left Ramnagar, and resided in another Dwelling, and Cheit Sing had always acted towards me with such Enmity and Opposition as cannot be described; how, therefore, should he have acquainted me with his Correspondences? but I have heard from Report, that he had in many Places improper Correspondences; however it is very plain he had an Enmity towards the Governor General, because whenever he learned any Thing to the Prejudice of the Governor, from the Letters of his Vakeels, or the Reports of ill designing Persons, he used to rejoice; this is known to all the Inhabitants of Ramnagar; accordingly, when the Governor General was lately coming from Calcutta towards this Quarter, the Rajah and his Companions used to say, ‘ The Governor has been displaced, and is making his Escape to Hindostan.’ Besides, from the Rajah's going to Buxar to meet him with the greatest Preparations, his Intention plainly appears.

(Signed)

“ Ranny Golaub Kooer (b).”

Then the Managers for the Commons acquainted the House, They should next proceed to read the Whole of the Ninth, Tenth, and Eleventh Parcels of Affidavits in the Appendix to the Banares Narrative, Part 3, beginning at Page 195 of the same. The Counsel for the Defendant desired, that the List of the Forces of Cheit Sing, beginning at Page 43 of the Narrative, and the Third and Fifth Parcel of Affidavits in the Appendix, Part 3, beginning at Page 159 and Page 184 of the same, might be also read.

(a) Vide supra, Page 364, Par. 1.

(b) Vide supra, Page 246.

The same were read, as follows :

Extract from the Narrative, P. 43.

§ (" The following is a Catalogue of Cheit Sing's whole Force, which has been since delivered to me by One of his principal Officers ; and as it made a Part of a sworn Affidavit, I admit and credit it as genuine. It is certainly not exaggerated.

" List of the established Forces in the Service of Cheit Sing.

" Cavalry, Sepoys, Matchlock Men, &c.

Cavalry	—	—	—	—	1,700
Select Troops, or Body Guard, Horse and Foot	—	—	—	—	700
Sepoys	—	—	—	—	1,150
Matchlock Men	—	—	—	—	1,800
Attached to Bullam Dafs, Horse 300, Foot 500	—	—	—	—	800
With Soojaun Sing, Cavalry and Infantry 500, with 2 Guns, Sepoys and Artillery Men, 340	—	—	—	—	840
With Munnear Sing, Cavalry and Infantry	—	—	—	—	700
Total established Troops	—	—	—	—	7,690

" Troops entertained after the Arrival of Cheit Sing at Lutteefpoor.

First, entertained at Lutteefpoor, Matchlock and Sword Men	—	2,000
Second, Nujjeeb, Sword Men from Lucknow	—	1,000
Total	—	3,000

" Troops assembled from different Places.

Horse and Foot with Juggur Dew Sing	—	—	—	500
Matchlock Men arrived with Bukht Sing, by Order from the Rajah	—	—	—	1,200
With Gomaun Sing, sent for by the Rajah, Matchlock Men	—	—	—	500
From the Fougedar of Biddevee arrived, Matchlock Men	—	—	—	1,000
Rajepoots of the Tribe of Rugbunsee from Kurraukut	—	—	—	3,000
Arrived with Dillun Sing, Fougedar of Mukurun Badshahpoor, Matchlock Men	—	—	—	1,500
Cavalry and Infantry arrived with Rezza Cooli Khan, from Mirzapoor	—	—	—	300
Rajepoots collected from Agoree and Purwah, by Dia Lutchoo	—	—	—	500
Of the Tribe or Cast of Khummaur, collected by Soojaun Sing	—	—	—	1,000
Sword and Matchlock Men with Ramjeeawun	—	—	—	2,000
				11,500

Total Troops in the Service of Cheit Sing — 22,190

" To which are to be added, Husbandmen and Adventurers who took up Arms voluntarily, making the foregoing Number amount to near Forty thousand *."

Extract from the Appendix, Part III. P. 159.

" THIRD PARCEL.

" NUM. 3. A.

" Affidavit of Captain Davy.

" Captain William Davy, private Persian Translator to the Honourable Warren Hastings Esquire, Governor General of Bengal, &c. maketh Oath, and faith, That he understands the Persian Language, and that the English Papers marked Num. 3. B, C, D, E, F, G, H, I, K, L, M, N, O, P, Q, R, S, T, U, hereunto annexed, are respectively true and faithful Translates of the several Persian Papers, marked, 1 A, 2 A, 3 A, 4 A, 5 A, 6 A, 7 A, 8 A, 9 A, 10 A, 11 A, 12 A, 13 A, 14 A, 15 A, 16 A, 17 A, 18 A, 19 A, likewise hereunto annexed, according to the best of this Deponent's Skill and Belief.

" Sworn before me, this 12th

William Davy."

Day of December 1781.

" E. Impey.

* Vide supra, P. 126.

“ Num. 3. B.

“ Translation of the Declaration of Hyder Beg Khan, attested before Chief Justice Sir Elijah Impey, November 26th, 1781.

“ When I arrived at the Seray of Saumee, the Gov. General, Mr. Hastings, was in the Fort of Chunar. I was detained at the Seray by the Swelling of the River Burnau. The Vakeel of the Rajah Cheit Sing came to me, and delivered to me thus the Message of the said Rajah.—“ I [Cheit Sing] have not been in any Manner deficient in my Obedience to the Gentlemen of high Rank [the English].—The Governor General arrived at Banaris.—At the Instigation of Owlan Sing, Mr. Markham brought Two Companies, and put me in Arrest. About Twelve o’Clock my People, stretching forth their Hands, brought me out from thence.—For the Safety of my Life I came to Ramnagur, and from thence to Lutteefpoor.—After that, a Force came from Chunar to Ramnagur.—Owlan Sing wanted to seize upon Ramnagur. My People stood upon their Defence; an Engagement followed, and the Troops of the Governor General were cut off. I am now determined not to pass by aught which may be in my Power to execute. Do you (i. e. this Deponent) write thus to the Vizeer of the Empire, “ That if Support is given to me, I will collect together an Hundred thousand Men, I will go even to Calcutta, and I will totally annihilate the English Government.” I replied to the Vakeel, “ that this Conduct, and these Declarations, would be productive of Evil to the Rajah.—When the Companies came to confine the Rajah, he should have gone that Moment to the Governor General.—People say that he hesitated whether he should, or not, attend the Governor. If the Governor General had had any ill Intentions towards him, he would have called together the Company’s Forces, who were stationed in different Parts.—To what Purpose was it to come alone to Banaris? Or he would have seized him upon the Road. Such Intentions on the Part of the Governor General, from this Retrospection, are not to be conceived. If a Master and a Ruler exerts his Authority, still there is no Cause for Fear and Apprehension. On these Subjects, with which you are unacquainted, I will communicate Circumstances as they are. His Highness is, in his Life and in his Fortune, joined and united with the Company, and the English Gentlemen. The whole of his Dominions is from them (or is theirs), nor does he wish that there should be any Distinction between his and theirs. Such Regard more especially does he pay to the firm and perfect Friendship which always subsisted between the Governor General and his Highness the late Nabob, that he never will be led to deviate, even the Point of a Hair, from the Sentiments and Wishes of the Governor. As soon as his Highness hears these Things, he will march immediately with his Forces to meet Mr. Hastings. Notwithstanding the Governor General has repeatedly written to the Vizeer to forbid him, yet his Highness will now come on his own Determination. The English Forces too are near at hand, they will speedily arrive, and the Punishment will be severe. It is not well for the Rajah; he will be torn up by the very Roots.—To threaten also that which is out of his Power to execute, is improper; the Rank of the Rajah is nothing more than that of a Zemeeदार; no one will pay regard to his Attempts, and a small Force will be sufficient to chastise him. Far better will it be for him to lay aside such Thoughts as these, to implore Pardon of the Governor General, to give up his Forts, and send back to him the Boats and the whole of the Baggage; or rather, it would be better that he himself should go alone, and with his Hands bound, into the Presence of the Governor.”

“ Again he brought this Message from the Rajah: “ I can no longer rely with Safety on the English. If you say thus, do you interpose, obtain Pardon for my Faults, and take upon yourself to settle the Subsidy.” I said in Reply, “ Your Crimes have been too great; you have attacked the Troops of the Company. I cannot presume to take upon myself to settle your Affairs, and to obtain Pardon for your Crimes. If you have actually resolved on a Change of Conduct, return the Boats and the Baggage, and give up Ramnagur, Lutteefpoor, and Pateeta. Supported by such Proofs, I will once endeavour to obtain a Pardon for you; to grant or to refuse will rest with the Governor General.” The Person who brought the Message said in Answer, “ The Intentions of the Rajah are to seize upon the Fort of Chunar, and to extend his Government as far as Calcutta, and you tell him to deliver up Ramnagur, Lutteefpoor, and Pateeta!” I said, “ Then the Rajah, it appears, aspires to the Empire, yet his Rank is only that of a Zemeeदार! these Attempts will draw down Destruction upon him; he will be extirpated in a Moment.” After this Conversation, he promised to return the Boats, but he never performed his Promise. An Animosity to all the English plainly and evidently appeared from the Language of the Rajah’s Vakeel; he repeatedly said, that he would go even to Calcutta, and that he would expel the English, nor would he be deficient in aught which he had the Power to execute. When he found that he had nothing to hope from my Interposition, he began to act hostilely towards me also. He denied me Boats to cross the Burna, and he directed the Tribe of Gurkbunlee to attack me in the Night. During the few Days that I continued there, we were obliged to keep ourselves ready for Action, and be upon our Guard Day and Night. In the Neighbourhood of Jounpoor, the People of the Rajah wounded several of the Stragglers belonging to the Cavalry in his Highness’s Service, who were coming to join me, and carried off some Horses. And the People stationed at Azumgur, who came in to me, set forth, That Nadir Shah, the Son of Azum Shah, Zemeeदार of Azumgur, which was formerly under the Government of Cheit Sing, had, by Directions from

the Rajah, gone to Azumgur and raised Disturbances. And the Vakeel of Cheit Sing, in the Course of his Conversation, said, that the Rajah had sent Forces towards the Carramnassa, and even to the Walls of Patna; and that Letters were gone to the King, to Nujjuf Khan, and to Sindiah. Zaulim Sing, formerly expelled from Amurdeh, was at Budlapoor, in the Government of Cheit Sing: He also went to Amurdeh, in the Territories of the Nabob, and raised Disturbances. It appears that the People of Budlapoor accompanied Zaulim Sing. Such were the Reports communicated to me by the People of that Place. Finding it impracticable to cross the Burna, where I was, without Boats, I marched from thence, and crossing higher up, where the River was fordable, I proceeded to join the Governor General.

" This Account of what I heard, and of what I saw, I have truly and faithfully related. There may be a Difference between the Idioms of the Hindostan and Persian Languages, but there is none in the Sense. I swear by the Almighty, that I have truly wrote, without Diminution or Addition, all that I heard and all that I saw, and nothing but the Truth.

Hyder Beg. That which is written is true.
Sealed with his Seal.

" Num. 3. C.

" Translation of the Deposition of the Moonshy Gore Pershaud.—The Deponent sworn before Chief Justice Sir Elijah Impey, December 2d, 1781.

" Without the Means of Escape, I was obliged to put on the Habit of a Fakeer, and with my Brother take shelter in the Hindoo Temple Arnepoorna, where I continued undiscovered for Eight Days. At length a Fakeer, for the sake of the Reward, went to Girdhauree Laul, the Brother of Diaram, Aumeen of Banaris, and said, that for a Recompense he would seize and deliver me up. The said Girdhauree Laul gave Five Rupees to the Fakeer, and sent Five-and-twenty Peadahs along with him, who took me from the Temple, and confined me for Twenty-two Days in the Aumeen's Kutcheree. My Pen is unable to describe the Ignominy and the Severities which they inflicted upon me. After that, I was confined for Four Days at Ramnagur, and at length, on the 27th of Ramzan, in the Twenty-third Year of the Reign, I was tied Hand and Foot and thrown upon a Dooly, and sent away from Ramnagur to Lutteefpoor. On the Road, near to the House of Chowdry Sewan, I saw a Number of Ladders made of Wood and Bamboos (about Forty or Fifty) lying on the Ground. I enquired of the Peadahs who guarded me, what those Ladders were intended for. They replied, that they had been intended for the Garden of Mehadew Dofs, but it was ordained that the English Gentlemen should live: They made their Escape, otherwise Bauboo Soojaun Sing would not have left one of them alive. Having heard this Reply, I remained silent.

Moonshy Gore Pershaud.

" Num. 3. D.

" Translation of the Deposition of Hurry Ram Pundit —The Deponent sworn before Chief Justice Sir Elijah Impey, December 2d, 1781.

" The Rajah Cheit Sing, having reflected on his Conduct, determined with his confidential People, that it was necessary he himself should go to meet Mr. Hastings, but that he should go from the Place where he was, with such a Force, and with such Preparations, as would enable him to act both by Land and by Water, and impress the above-mentioned Gentleman with an Idea of his superior Strength; for that Mr. Hastings had with him but a small Number of Troops, and if he should have entertained any ill Intentions toward him, on observing the Number and Force of his Followers, he would be led to reflect, that nothing could be effected, and consequently be deterred from making the Attempt; therefore he gave Information and particular Directions to all his Soldiers and Attendants, that he was going to meet Mr. Hastings, and that they should hold themselves in Readiness to proceed: That he should go by Water, for which Purpose a Fleet of Boats was prepared; for the before-mentioned Gentleman (the Governor General) would come by Water, and consequently his Fleet of Boats would come with him; therefore it was necessary, that he (the Rajah) should have a Fleet of Boats also, that his People might always be near at hand: That a Body of Cavalry moreover should proceed by Land, and Tents be pitched at Two Places between Ramnagur and Buxar; for at all Events he must meet the Governor General. Accordingly, on the 16th of Shaubaun, the Rajah set out from Ramnagur, by Water, to meet Mr. Hastings. The Jemmadars and Huzzaries, Jaafir Khan, Dillall Khan, Juttoo Khan, Zubburdust Khan, Lullo the Son of Kauna Mull, Rambuksh, Baulkishen, &c. all together near Five hundred Horse; also Jemmadars of Foot, with Matchlockmen, &c. near Two thousand, proceeded along the Southern Bank of the Ganges. And by Water, the Rajah was attended by a Fleet of Boats, in Number about a Hundred and Forty, in which were embarked Suddanund Buxey, Golaum Hooffein Tay, Mirza Fyz-ullah Beg, Bauboo Doorgbijey Sing, Munnear Sing, Purtaub Roodur Sing, Doond Bahadre Sing, Ahlaud Miffur, Meer Hooffein Ally, &c. Sheakh Mahommed Aumeen, Commandant of the Sepoy Battalions, Dabee Sing, Mahommed Moraud, Dhun Sing, and Hukkoomut Sing, Soubadars, with Two Companies of Sepoys, Huzzooree Peadahs, and Matchlocks, in all about 2000 Men. Godur Mull and Bullum Dafs, who were stationed

stationed at Ghauzipoor, joined by Orders from the Rajah, who afterwards arrived at Buxar, and had an Interview with Mr. Hastings.

Written by Hurry Ram Pundit.

“ Num. 3. E.

“ Translation of the Deposition of Jewan Ram Moonshy, in the Service of the late Lieutenant Stalker—The Deponent sworn before Chief Justice Sir Elijah Impey, December 2d, 1781.

“ After the Arrival of Mr. Markham at Shewallah, I went in and paid my Respects to my Master; who asked me, if I knew whether Mr. Markham would come there or not? I replied, It was reported so, but that it depended on his Inclinations. Mr. Stalker then told me, I might go, but afterwards ordered me to stay. I continued there, and saw Doorgbijey Sing sitting with the Rajah in the center Apartment, and Suddanund Buxey and others whispering to the Rajah. Shortly after, News was brought to the Three Gentlemen sitting in the adjoining Room, that there were Disputes without. Mr. Stalker went without the Jauli (or First Wall) and asked the Subadar Bishun Sing, why he had ordered the Bayonets to be fixed? The Subadar replied, that Numbers of the Rajah's armed Servants had come in, and that they paid no regard to the Company's Orders. After which, Mr. Stalker advanced further out, and asked of the younger Mowllavy and me, who amongst those People was the Chief? I answered Bauboo Munnear Sing. Mr. Stalker sent for Munnear Sing, and strongly enjoined him to appease his People, and enquire, why they attempted to dispute and fight with his Sepoys. Munnear Sing replied, “ What Power have they, that any one of them should presume to fight? We Two, Father and Son, are desirous to go to the Rajah.” Mr. Stalker answered, “ Very well, but you must stay here between your People and mine, that they may not come to Blows.” After that a Letter arrived from the Governor to the Rajah, which Mr. Stalker, having quieted and soothed the People, presented to him: The Rajah then got up, and went out of the Burradurri to the adjacent Bastion, to perform his Devotions.

“ At this Time Information was brought to Mr. Stalker, that the Rajah's People opposed and refused Admittance to another Company of Sepoys who had brought Provisions, a Table, &c. for the Gentlemen. Mr. Stalker again went out, and calling to Suddanund Buxey, asked the Cause of this Opposition; and told him to send Directions (to the Rajah's People). Suddanund said he would go himself. Mr. Stalker replied, “ No, send One of your Servants.” While the Man was going out to silence the People, Mr. Stalker returned within the Jauli. Doorgbijey Sing was gone from thence no one knew whither. Cheit Ram, Mr. Markham's Chubdar, informed Mr. Stalker, that he had a Message to deliver to the Rajah from the Governor General. Mr. Stalker said, “ Deliver it.” He, the Chubdar, said, “ At the Place where the Rajah was at his Devotions, the Governor says your People want to quarrel and fight; it will be better if you forbid them, for every Sepoy is as an European, and every European is as a (or the) Company; if a Drop of their Blood is shed, you shall be plundered and destroyed.” At this Period, there was a Report of Guns at the Gate of Shewallah; the Action was commenced. At this Time, Mr. Stalker and Cheit Ram went towards the Rajah. Munnear Sing and others cut down Cheit Ram, pulled Mr. Stalker back, and pushing him on one Side, began the Slaughter. The Rajah escaped through a Window by a Rope made of Turbans, got into a Boat, and went off. His People, by the same Means, drew up Swords and Shields as a Bucket is drawn up from a Well, and began to engage. I stood near the Jauli behind my Master; when my Master was killed, I fled toward the Place where the Rajah's Victuals was dressed. I continued there a short Time, and saw the Rajah's People jump from the Walls and the Trees with their Shields and Swords, and advance. After this I assumed the Character of one of Cheit Sing's Servants, fled with his People, and came to the Presence. The Gentlemen after this went to Chunar, and I should have arrived the next Day, but I was plundered on the Road and confined in the Fort of Pindera. Diaram took away from my Houle Two Tangon Horses, and placed his Seal and a Guard upon the Door. After the Flight of the Rajah, the Zemendar of the before-mentioned Fort set me at Liberty. Without a Master, every way disconsolate, to whom can I communicate my Distress? I now hope for Favour and Support from the Almighty, and from you.

Jewan Ram.

“ Num. 3. F.

“ Translation of the Deposition of Bishen Sing.—The Deponent sworn before Chief Justice Sir Elijah Impey, December 2d, 1781.

“ I had Two Locks of Muskets fixed on my Ears. Bauboo Soojaun Sing sent for me by Ram Kishen Hircarrah to come into his Presence.—He said, “ Deliver up the Trunks of Gold Mohurs which the Governor delivered over to your Care when he went to Chunar.” I set forth, That I did not know any thing about such Trunks. He then gave Orders to the Sepoys to press the Locks hard, (saying) that without Severity I would not be prevailed upon to give them up; and then the Blood ran from both my Ears.

Written by Bishen Sing,
the 4th of the Month Ramzan, Year 23d.

“ Num. 3. G.

“ Translation of the Deposition of the Moonshy Patnimul.—The Deponent sworn before Chief Justice Sir Elijah Impey, 2d December 1781.

“ The Deposition of Patnimul Moonshy. On the last Day of the Month of Ramzan, in the Year of the Reign Twenty-three, the Gentlemen went to Chunar. I was unable to accompany them for want of a Conveyance. Without Remedy, I remained in the House of one of the Inhabitants for Eight Days. The Aumeen Diaram daily caused a Proclamation, to this Purport, to be made through the City; “ In the House of whomsoever a Person belonging to the English Gentlemen may be secreted, let the Owner bring him to the Aumeen’s Kutcherry and deliver him up; otherwise, (upon Proof) in the House of whomsoever a Person belonging to the English shall be found, the Owner thereof shall be (considered) as a Criminal to the Government of the Rajah, his House and Property shall be destroyed, and his Belly shall be ript open.”

“ Num. 3. H.

“ Translation of the Deposition of the Moonshy Gore Pershaud.—The Deponent sworn before Chief Justice Sir Elijah Impey, 2d December 1781.

“ When the Gentlemen marched for Chunar I was not informed of it. I knew it about Four Gurries after. In Terror for my Life, I secreted myself in the House of Bauboo Duffan Ram; I continued undiscovered for One Day; the next Day the said Bauboo Duffan Ram said to me, ‘ To-day there has been a Proclamation through the City to this Purport, “ Whoever has secreted a Follower of the English in his House, let him produce and deliver him up; otherwise, on Discovery, his House shall be seized, and he himself shall be severely punished.” I cannot keep you in my House, go from my House to some other Place.’ Without Remedy, I put on the Habit of a Fakcer, and took shelter in the Temple of Arnapoorna.

Gore Pershaud.

“ Num. 3. I.

“ Translation of the Deposition of Doond Sing, Commandant.—The Deponent sworn before Chief Justice Sir Elijah Impey, November 26th, 1781.

“ In the Month Phagun a Jemmadar and a Havildar, in the Service of Soojaun Sing, the Brother of Rajah Cheit Sing, came to me, and said, ‘ Soojaun Sing has sent for you.’ I asked, ‘ On what Account has he sent for me?’—They replied, ‘ We do not know.’—I said, ‘ I am a Servant to the English, I will not go to him.’ They [then] said, ‘ He has sent for you, to take you into his Service.’—I answered, ‘ From my Youth to this Day I have been the Servant of the English; I have never gone to any Rajahs or Bauboos, nor will I go to them.’ When those People returned to Soojaun Sing, they said, ‘ Doond Sing, the Commandant (i. e. this Deponent), refuses to come.’ The Rajah Futteh Saw also wrote to the Rajah Cheit Sing, to place a Guard over my House at Banaris, in which Case I should (be obliged to) join him with my Sepoys and Guns. This Information was given to me by the Jemmadar Chaint Sing. I said, ‘ My House, and my Wife, and my Children, may be destroyed.—Still I am the Servant of the English, and I am faithful and loyal. By the Blessing of God, in a short Time we also shall go to Banaris and plunder that Rajah, and we will spoil the Rajah Futteh Saw also.’ At Sukroreh I was informed that a Guard was placed at my House.

“ The Commandant Doond Sing not being able to write, either in Persian or Hindce, has made his Mark.

“ Num. 3. K.

“ Translation of the Deposition of the Moonshy Mahommed Moraud.—The Deponent sworn before Chief Justice Sir Elijah Impey, Nov. 26th, 1781.

“ On the 19th of Ramzan the Captain * issued Orders to all the Subadars for marching towards Banaris, and directed them to get in Readiness. The next Day we marched to Burragong. The Captain had mounted his Horse to proceed, and I was in the Rear in Search of a Conveyance for my Baggage, when Five or Six Sepoy Grenadiers and others came and surrounded me, and demanded their Pay, in consequence of which a great many more of the Sepoys came and clamoured for their Pay, and ill-used me; and they brought me down from the Bungala, and beat me severely with the Butt-ends of their Pieces, and charged Bayonets even to my Breast, so that my Life was in Danger. A Hircarrah carried Information of this Affair to the Captain, who, on receiving it, turned back and arrived immediately. All the Sepoys then turned their Clamours against the Captain, using insulting Language, and they surrounded him and said that unless they received their Pay they would not set him at Liberty—that if I should pay them, well; if

* Captain Williams.

not, they would carry me to Baunfy, which is near to Kunkooa; and that, when they should receive the whole of their Pay from me, they would set me free.—They moreover placed a Guard with fixed Bayonets over the Captain, and pointed Bayonets to his Breast to stab him; and they rushed upon us several Times, so that we gave up ourselves for lost. In this Situation the Captain ordered them back, and gave them Three Months Pay; and then proposed to them to march with him to Banaris. The Sepoys answered intolently, that they would not on any Account go to Banaris. Without Remedy, the Captain marched from thence with the Battalion, and arrived at Gooruckpoor. He halted there a few Days, purchased Grain for the Sepoys, and marched from thence by the Way of Baunfy. We halted Six Days at Baunfy on account of the heavy Rains; we afterwards marched from thence, and after encountering a thousand Distresses arrived at Butkorch. The past Events, which are known to every one, I have thus related.

Mahommed Moraud,
and sealed with his Seal.

“ Num. 3. L.

“ Translation of the Deposition of Doond Sing, Commandant.—The Deponent sworn before Chief Justice Sir Elijah Impey, November 20th, 1781.

“ It appears from the Letter of Ram Sing Jemmadar, stationed at Mutcholi, that the Rajah Ajeet Mull, the Rajah Futteh Saw, and Genoo Roy, had engaged themselves to each other by Oath to cross the Rivers Gogra and Surjoo, for as much as they had received a Letter from the Rajah Cheit Sing, and the Sum of Fifteen thousand Rupees, to cut off the English in the District of Surwur, and drive them out; and Letters have arrived from Futteh Saw, to all the Zemcedars, great and small, to withhold the Collections, and not to pay a single Daum to the English; and the said Futteh Saw sent near Two hundred Men, with Matchlocks, into the Jungle of Burragong, and near to Kunkooa. After Three Days, the Three Rajahs crossed the River, and encamped in the Jungle; and it was reported from all Quarters, that the Zemcedars had shut up all the Ghauts on the Rivers, and sunk all the Boats; and I wrote an Account of these Things to Major Macdonald and Captain Williams, and told them that there were great Disturbances in the Country, and that there were Reports also that the Rajahs would cross the River. And I wrote these Things to Major Macdonald, that he might inform the Colonel that the Road to Banaris was shut up, for fear the Captain should march from that Quarter towards Banaris; it was also reported among the People, that Three Gentlemen had been killed at Banaris. After some Days the Captain arrived at Kunkooa, and after a Halt of Three Days, gave Orders for marching, and directed all the Sepoys to get ready, and about Nine o’Clock in the Morning on the Sixth of September, he marched, and came to the Bank of the River Khaukhi; it then rained excessively. When we arrived at the Khaukhi, the Captain ordered the Troops to be crossed over the River; agreeable to Orders, I crossed them over. When, after a thousand Distresses, we had crossed the River, the Captain said that there were many Rivers in the Road, and no Boats on any of them; that the Ghauts were shut up, and no Grain to be procured on the March for the People; how then would it be possible to pass the Guns and Troops through such a Country? It would be better, he said, to go to Banaris by Way of Buxar; therefore we again crossed the River Khaukhi, and encamped after marching Half a Cos from it. He (then) gave Orders for marching toward Khunkooa. Moving from the Khaukhi the Captain with the Troops arrived at Khunkooa; he then told all the Subadars and Jemmadars, that the Rajah Futteh Saw, with his Force, was posted on the Road, and that it was necessary to attack and drive him from thence; that he would halt a few Days at Nuddy Kaunoon, and then march toward Banaris. It was now known that the Sepoys of the Battalion had said, ‘ Let them give us our Pay, and wherever they go, we will go with them;’ to which the Subadars replied, ‘ they might take it wherever they found it.’ The said Subadars neither confined those Sepoys, nor informed me of the Circumstance. I received the Information from Chainé Sing Jemmadar. The Subadar of Grenadiers stationed a Sepoy behind his Hackery, and told him, he might either protect and convey it to his (the Subadar’s) House, or he might leave it to be plundered by the Country People. The Sepoy told him to set his Mind at Rest, for that he would convey it safe to his Dwelling. At Night, after Twelve o’Clock, I made my Report to the Captain, who ordered me to go with Bukhrawur Sing, Subadar to the Sepoys, to satisfy and explain to them, that he would give them their Pay when they arrived at Burragong. In the Morning we marched a small Distance toward Burragong. First, a Sepoy pulled off his Coat, and drew his Bayonet on the Captain; the Subadars and Jemmadars did not interpose to check him; the Captain said, ‘ I will pay this Sepoy and dismiss him—do you march on.’ I obeyed his Orders, and marched; but the Sepoys quitted their Colours and their Guns, and assembled at Khunkooa. The Subadars and Jemmadars said nothing (to prevent them). Seeing the Situation of Things, I directed the Jemmadar Kihaul Sing to take with him Twelve Sepoys, and go to the Captain, that he might know how Things were. After which, Orders from the Captain came, to return back and join him; I went back, and saw that the Sepoys had mutinied violently; that they had drawn their Bayonets, and were threatening the Captain; moreover, Three of the Sepoys loaded their Pieces to fire at him, and they demanded Four Months Pay; and most of the Sepoys said, ‘ Let him pay us all our Arrears, and he may go where he pleases;’ when the Sepoys had received their

their Pay, they said, one and all, ' We will not go to Burragong; we will go to the Begum at Fyzabad; if she will retain us, we will stay; if not, we will carry the Gun (or Guns) to the Rajah Cheit Sing, and Saadut Ally Khan.' The Sepoys, after this, directed the Subadars to tell the Captain to march; the Captain replied, That the Two Companies and the Gun stationed at Nuchlole were coming; he would march as soon as they had joined; the Sepoys said, ' Let the Captain march, we shall meet the Companies on the Road;' however, the Captain halted till the Two Companies arrived; he then sent Hurdeaul Sing, Commandant, to the Sepoys, to tell them that the People (i. e. the Two Companies) were fatigued; that they should halt One Day, that those People might receive their Pay also; and then he would march. The Sepoys refused to listen to Hurdeaul Sing. The Captain then sent for the Two Subadars, and told them to go and persuade the Sepoys to make one Halt, that he might give the Two Companies their Pay. The Sepoys were prevailed upon to halt by the Subadars, and the Captain paid the People.

"The next Morning the Captain sent a Man to the Chucklahdar, and directed him to march also. He sent Word, that he was collecting Cattle for the Baggage, and that he would march as soon as he had got them; it was afterwards heard, that the Chucklahdar had given Twelve thousand Ruprees to Futteh Saw—the said Rajah demanded Twenty thousand from the Chucklahdar, promising to protect him—And it was currently reported through the Country, that Saadut Ally Khan was the Nabob, and that the English Government was overthrown. After this we marched from Kunkooa; the Captain purchased Grain for the Sepoys; the Waters were out from the heavy Rain; and whoever loitered behind was plundered by the Villagers. When we arrived at Baunsi, we were obliged to halt Six Days on account of the Rains; after that we marched and arrived at Buskroreh, but there were many Rivers and Nullahs in the Road.

"Doond Sing, Commandant, not knowing to write either Persian or Hindoo, has made his Mark.

"NUM. 3. M.

"Translation of the Deposition of Ahlaud Sing, Subadar, stationed in the Fort of Gooruckpoor. —The Deponent sworn before Chief Justice Sir Elijah Impey, 26th November 1781.

"I had confined under my Guard, in the Fort of Gooruckpoor, One hundred and Fifteen Burgomauls, Inhabitants of Surwaur. On the 15th of Ramzan, the Rajah of Gooruckpoor, the Zemeedars of Oulooleh, Bechouly, &c. &c. great and small, likewise all the Inhabitants of Gooruckpoor, with Six thousand Matchlocks, and great Numbers of Country People, armed with Clubs, at Four Gurries of the Night surrounded the Fort, and made an Attack by Surprise; but the Sepoys on Guard at the Bastions were awake; they began to fire, and an Action immediately followed. Seeing that the Country People were in great Numbers, I went to each of the Bastions, and encouraged the Sepoys, and called them to me into the Body of the Place, and formed them together. I left a Havildar and Ten Sepoys at the Rung Mahul, to protect the Baggage; but it was Night Time; the Country People made an Assault with Ladders, and entered the Fort, and both Parties fought resolutely. At this Time they placed Ladders against the Inner Fort, toward the South, and entered upon the Bastion: I seized an advantageous Opportunity (attacked) and killed Seventeen of the Enemy on the Bastion, and wounded several others. About Half after Ten at Night they made an Attack upon the Western Bastion: As there was a Straw Chupper on that Bastion, I took shelter under it, and threw down, with all my Force, a Part of the Brick Battlement on the Enemy, by which Four of them were killed; One other fell by a Musquet Ball; and they retreated. A Third Time, about Three o'Clock in the Morning, the Country People raised a great Shout, and attacked us again: I was then engaged on the Inner Fort Bastion: Seubunte Havildar was posted, with Twelve Sepoys, to guard the Burgomauls; they rushed upon him in a Body, and Seubunte called out to me, with a loud Voice, that the Burgomauls had attacked him: I gave him Orders to put them all to the Sword; he instantly struck off the Heads of Eighteen Burgomauls, and threw them out, and he wounded several others. The Morning now broke, and I entertained a Hope that the Enemy would fly, and that the People of the Town would certainly join me; but the Country People, the Fougedar, &c. were all united with the Rajah; they lifted up their Arms, and said, The Doway* of the Nabob Saadut Ally Khan, and the Begum, has spread through the Country; for the Rajah Cheit Sing has destroyed all the English, and Letters have come to the Rajahs to put the Dependants of the English to the Sword, wherever they may be found: And he said, "Where will they go? the Country is mine; I am a Bhoncar Rajah, how long will they (be able to) oppose me?" In such Discourse Two Gurries of the Morning had passed away. From the Eastern to the Western Gate, within the Mahul, they surrounded the Inner Fort on all Sides, and the Action was renewed. We continued engaged for Five Pahr (Fifteen Hours) with the Enemy, without tasting either Food or Water. At this Time, Furhaud Beg came from the Rajah Bhonea, to make Proposals, of which he informed me by One of my People. The Havildar Superfau said, "Perhaps the Rajah has sent him to support us; no Matter, let him be called;" so I sent for him, and he came up to the Gate of the Inner Fort, and when he saw me, he said to me, "You have no Masters; the English are all killed, and the Colonel and Mr. Gordon are confined by the

* The Acclamation of Appeal to the Sovereign Power.

Begum." I gave him insulting Language in Reply to this, and told him to tell this Story to the Sepoys who were with me; and he did repeat it, with a loud Voice, to the Sepoys; and said to them, "You have no Masters; give up the Burgomauls, that they may enter into the Rajah's Service, or go where they think proper." In Reply we said, "The good Fortune of our Masters is on our Side, and while we have Life we will fight; and we will not give up the Burgomauls." At this Juncture Selamut Khan Jemmadar of Grenadiers, with Nine Sepoys, unexpectedly arrived in the Town from Nerownah: My People from the Inner Fort saw that a Company had arrived near to the Cutwall's Chubbootre; they gave a loud Shout, and said, "A Company of Grenadiers is arrived from Kunkooa;" and their Spirits were raised; and we opened the Gate of the Fort, and Selamut Khan joined us. The Bravery and Resolution of Selamut Khan are not to be described. When the Enemy beheld the Arrival of Selamut Khan Jemmadar, they turned their Faces to Flight: I pursued them with my People through the Western Gate, and many of the Enemy were killed and wounded, and Numbers were killed and Numbers were drowned in the River; and, by the Blessing of God, we obtained the Victory. I returned into the Fort, and immediately secured Ferhaud Beg and Fyz-oolla Beg, who had come to make Proposals about the Burgomauls; I wrote an Account of the whole of this Affair to the Colonel, and to the Captain*. After a few Days, an Order came from the Colonel to Munnowur Khan, directing, that if the Rajah Mustapha Khan had been put to Death, well; if not, strike off his Head. Munnowur Khan shewed me the Order. I said, "The Order is not written to me; I will write to the Colonel on the Subject." And it was understood from the Country People, that the Captain was marching towards Banaris, (but) that the Grenadier Sepoys had mutinied, and demanded their Pay; that the Captain gave them Three Months Pay, and proposed to them to march with him to Banaris: The Sepoys all answered, that they would go to Bungulla, and deliver up their Arms at the Gate of the Begum; in consequence of which, the Captain was obliged to give up his Intentions of going to Banaris, and return to Gooruckpoor; and he gave Orders, that the Head of Mustapha Khan should be struck off; and he was beheaded accordingly; and a Proclamation was made through the Town, that those who were guilty of such Crimes would meet with the same Punishment. The Captain halted for some Days, and brought up Grain for the Sepoys. At this Time, the Brother of Soobaun Sing, Pulwaun Sing, with a thousand Matchlocks, and others, Country People, was at Gooruckpoor; and they raised an Outcry, and said that the English should not remain in the Town, and they prepared for Action; so the Captain crossed the Raubty. A Bullock Man belonging to the Artillery, who returned into the Town to buy Fodder, they put to Death. Marching from thence, in Four Days the Captain arrived at Baunfy. The Ranny of Baunfy came to see him, but her Son prepared for Hostilities; he said, "They have struck off the Head of our Rajah at Gooruckpoor, and I will be revenged." We marched from thence; and the Rajah of Bulrampoor, with his People, had thrown up an Intrenchment across the Road; and he said, "It is the Begum's Orders, that you shall not march by this Road." With the greatest Hazard and Caution we marched from thence, and arrived at Koonda, and the Country People retired into the Fort.

"This is a true Account which I have set forth.

Ahlaud Sing.

"NUM. 3. N.

"Translation of the Deposition of Denoo Sing, Subadar.—The Deponent sworn before Chief Justice Sir Elijah Impey, November 26th, 1781.

"On the 16th of Ramzan, an Order came to me from the Commander of the Battalion, that a Jemmadar and Sepoys belonging to the Company of Dur Sing were coming to me; that I should deliver over to him the Fort and the Gun, and the Burgomauls, and that I myself should march and join Mr. Gordon at Taundeh. On the 13th the said Jemmadar and Sepoys joined me at Dummoooreah Gunge; and, being relieved on the same Day, on the 14th of the said Month I marched towards Taundeh. The Zemeedars and Villagers surrounded us all the Way from Dummoooreah Gunge to Ruddouly, and they said, "The Government of the Colonel is at an End;" but they had not the Resolution to attack us. They also said, "The Rajah Cheit Sing has cut off the English Forces at Banaris; deliver up your Baggage, it is the Order of the Begum." In this Situation I replied, "The Baggage belongs to us, and we have Ammunition to defend it; if any one chooses to attack it, let him come." We lay the whole Night on our Arms at Ruddouly. We marched the next Morning, and arrived at Bully; but got no Intelligence of Mr. Gordon to enable us to join him. Ghuffoor Beg, Subadar of the Nabob's Artillery, told me that Bauboo Dhun Sing, with a thousand Matchlocks, had taken post in the Jungle of Bully, and that he had moreover sunk all the Boats on the River. I halted Six Hours at Bully, searching after Boats; at last I procured a very small one, and when I was about to cross, the Subadar Bejy Sing arrived, after a March of Twenty Coss, in which March a Sepoy and Three Horses were killed, and Four Sepoys wounded. Bejy Sing desired I would stop for Two or Three Gurry, till his People had ate their Victuals, for they had marched Twenty Coss. At the Time that Bejy Sing's Sepoys had untied their Cummurbunds [laid aside their Arms], the Country People, with Bauboo Dhun Sing,

* Captain Gordon.

came and surrounded us in the Village of Bussy; in consequence of which, I resolved to seize upon the Fort of Bussy, and take Post there. The Subadar of the Artillery before mentioned, and others of the People, said, "Accounts have arrived from the Begum that all the English are cut off: Why will you seize upon the Fort and take Possession of it?"—I desired the said Subadar to join and support me; he replied, "Whoever is appointed Aumil of the Pergunnah I will join him, I will not go with you." At this Time a Man arrived, and brought News, that Mr. Gordon was at Sunjur Ghaut, in the Pergunnah of Ruddouly; so I marched to Meer Gunge, intending to go from thence to the said Ghaut, and I sent a Sepoy, naked, to obtain Intelligence of Mr. Gordon. The said Sepoy returned, and brought Word that Mr. Gordon and the Subadars and Jemmadars were imprisoned at Taundeh by Orders from the Begum; that many of the Sepoys had deserted, and several had been killed: When I heard this News, and that the Ghauts on the River were shut, and that the Rajahs, with Six thousand Matchlocks, had surrounded Ahlaud Sing in the Fort of Gooruckpoor, with an Intention to let the Burgomauls at Liberty; I determined to march to Gooruckpoor: On the Road, News arrived that through the good Fortune of our Masters all the Country People had been put to flight, and that Ahlaud Sing had obtained the Victory; in consequence of which I went to Mukhur, and there I saw that all the Pergunnah Aumils of that Country had taken shelter in the Monument of Kubbeer Daus; from them I learned, that it was the Begum's Orders to cut off all those who were connected with the English in Surwar, wherever they might be found. I also heard that the Rajah Cheit Sing had destroyed all the English Troops, and that Three of the English had been killed; it was also reported, that the Authority of the Nabob Saadut Ally Khan and the Begum was established throughout all the Country. I marched from Mukhur, and arrived at the Fort of Gooruckpoor. After this a Letter came from Bauboo Ajeet Sing to Ahlaud Sing, to this Purport; "Deliver over the Burgomauls to me, and I will cause you to be conducted wherever you think proper to go; or (if you think proper) enter into my Service, for you have no Matter; why will you give yourselves up to Destruction?" We and Ahlaud Sing sent a verbal Answer, That the Fortune of our Masters was on our Side; if he thought proper he might come; That while we had Life we would not give up the Burgomauls, but that we would put them all to the Sword. We wrote an Account of these Things to the Colonel, and received the following Answer, that we should maintain our Post in the Fort, and that we should march toward him with the Captain (when he arrived). It was now known that the Captain intended to march to Banaris by the Road of Nuddi Kaunoon; but that the Grenadiers had mutinied, and obliged him to return. It was also heard that Futteh Saw, and Genoo Roy, and Rajah Ajeet Mull, &c. had resolved to attack the Captain, because Letters had come from the Rajah Cheit Sing to all the Zemeedars, to this Purport, "Wherever there are Dependents of the English, kill and drive them out." It was moreover reported, that when the Captain marched to Kunkooa, on his Way to Banaris, the Grenadiers made a Disturbance, and demanded their Pay: That he gave Three Months Pay to the Sepoys, to prevail upon them to march with him to Banaris, but that those Cowards would not consent; they said, "We will not go to Banaris: We are the Servants of the Begum and Saadut Ally Khan; we will deliver up our Guns and our Arms at the Gate of the Begum."—Without Remedy, the Captain was obliged, by the Disobedience of his Troops, to march to Gooruckpoor, where we joined him; moreover, Pulwaun Sing, the Brother of the Rajah Soobaun Sing, came with a thousand Matchlocks, and he and the Inhabitants of Gooruckpoor raised a Clamour, demanding that the Captain should march from thence, and they killed the Brother of the Chowdry of the Bullock Men, who went into the Town to buy Fodder. At this Time Half the Troops had crossed the Raubty, when the foregoing Accident happened; the Captain marched by the Way of Baunfy. After our Arrival at Baunfy it rained Six Days without Intermission. The Ranny of Baunfy came to see the Captain, but her Son stood prepared for Hostilities. After Six Days, we marched from thence to Purtaul Buckra, from thence to Dummoorea Gunge; marching from thence, we halted at Chunderdeep for Two Days; when we marched from thence the Captain went on in Front; Hurdeaul, Commandant, was in the Rear; a Skirmish ensued between him and the Country People; Two of them were taken Prisoners, and One was killed by a Musket Shot. We marched from that Place to the Nullah of Attroleh, Three Cos to the Westward; we marched from Attroleh, and were opposed, near Bulrampoor, by about Two thousand Country People; but when the Battalion and Gun were drawn up fronting them, they gave way and fled; the Road cleared, we marched, and encamped at the Nuddy Koaubeh; we continued there One Night, and marched to Gonedeh. When we arrived at Gonedeh, the Country People quitted our Rear. This is a true Account which is written.

Denoo Sing.

" Num. 3. O.

" Translation of the Deposition of Ram Sing, Jemmadar.—The Deponent sworn before Chief Justice Sir Elijah Impey, November 26th, 1781.

" The Rajah Futteh Saw, and Genoo Roy, and Ajeet Mull, united themselves all Three together, and bound themselves by Oath; and these were the improper Resolutions which they had agreed to, That they would cross the River Gogra, and establish their own Authority there; for Letters had arrived from the Rajah Cheit Sing at Banaris, in which he said, " All the English are cut off; the Government of the English is overturned; I have taken Possession of the Country; do

do you, the Zemee-dars, establish your Authority also in those Districts."—It was likewise publicly reported, that the Rajah Cheit Sing had sent Fifteen thousand Rupees in Specie to the said Zemee-dars, to raise Men, and kill and drive out the Dependants of the English wherever they might be. It was also reported that Colonel Hannay and Captain Williams were in Confinement; the Rajah Futteh Saw came to inform himself of this; but not obtaining any certain Intelligence, returned, and determined to go to Kunkooa, to cut off the People and plunder the Place. At this Time the Captain returned from Lucknow, and arrived at Kunkooa. I also arrived at Kunkooa agreeably to Orders. In the Evening he informed all the Subadars and Jemmadars and Sepoys, that they were to march towards Banaris the next Day. In consequence of which the Sepoys went to the Subadars and said, that they had no Money. The Subadars replied, their Pay was in the Sirkar, if they could get it they might take it. Early the next Morning we marched, the Companies faced to the Right. Four or Five of the foremost Grenadiers stepped out, surrounded the Captain, and said, "Give us our Pay and we will go with you;" the Captain replied, "You are only Four or Five Men, take (your Pay) and I will pay the Battalion when we arrive at Burragong," which is only Eight Coss from Kunkooa. The Battalion had gone on about a Coss. On hearing the above, Numbers of Sepoys returned, and loaded their Pieces, and fixed their Bayonets, and pointed them at the Captain; in consequence of which, he recalled the whole Battalion, and told them to take their Pay and march with him to Banaris; to which they all agreed; but when the Captain had given them Three Months Pay, the Men who were the Mutineers raised a Clamour, (and said) "we will take our Arms and the Gun to the Chuckladar; and receive our Pay from him, for the Chuckladar is a Servant of the Begum's, and we also are the Begum's Servants, and Saadut Ally's." The Captain said to the Commandant and the Subadars, "I have paid them all, what then is the Cause of this improper Behaviour?" but what he said had no Effect upon them; however much he urged them to march to Banaris, they still refused, and only said, that they would go to Bungulla, and attend the Begum and Saadut Ally Khan; and that if the Captain attempted to escape, they would put a Guard over him, and deliver him up there. Without Remedy, the Captain marched this Way. That which was true has been written.

Ram Sing.

"NUM. 3. P.

"Translation of the Deposition of Hurdeal Sing, Commandant.—The Deponent sworn before Chief Justice Sir Elijah Impey, November 26th, 1781.

"The Servant Hurdeal Sing, Commandant of Major Macdonald's Battalion, gives the following Account. I was stationed in the Pergunnah of Beelpoor, in the District of Narrain Buttool, with Two Companies of Sepoys of Captain Williams's Battalion, Three hundred and Fifty Nejeeb and Sehbundy Men, and One Gun, and acted in the Business of the Sirkar agreeably to my Orders. From the 15th of Ramzan I received several Letters from Mahommed Shuffee Khan, the Chuckladar, and from the Captain, who were then at Kunkooa, to march speedily with my Force and join them, for that the Power of the turbulent Country People and Rajahs was become excessive. At this Time I collected together the People who were stationed at different Places; and on the 19th of the said Month, notwithstanding the Waters were very much out in the Road, I marched toward Kunkooa. When I arrived at Ram Kolah, which is about Fifteen Coss from my Situation, I heard, from the general Reports of the People, that the Rajahs Ajeet Mull, and Futteh Saw, and Genoo Roy, who had been expelled from their Zemee-daries, and resided with the Rajah Cheit Sing in the Country of Banaris, had all Three, by Orders from Saadut Ally Khan and Rajah Cheit Sing, marched from thence, and crossed the Gograh, and taken Possession of their Lands; and that the Rajah Cheit Sing had assisted the said Rajahs with Five and twenty thousand Rupees to drive out the English, [directing] that they should drive them and all their Dependants out of their Districts. When I came to the next Stage, I heard that the Grenadiers, who were with Captain Williams at Kunkooa, had mutinied, and confined the Captain, and cruelly beat his Moohishy; that they had got their Pay, and intended to go off to the Vizeer; and that no one attended to the Orders of the Captain. As the Companies with me had been informed of these Circumstances, I soothed and persuaded them not to think of acting in such a Manner; that Pay was never withheld or lost in the English Service; that they would receive every Daum of that which was due to them; but that it would be improper for them, at that Time, to act as others had done. The Sepoys assented to what I had said, and, notwithstanding the Opposition of the Country People on the Road, we arrived in Safety, and with the greatest Expedition, at Kunkooa, and attended the Captain and the Chuckladar, and I then saw with my own Eyes what I had before heard on the Road. The Captain said, when I went to him, "You have without Doubt heard how Things are here; what are the Intentions of the People with you?" I said in reply, that the People along with me, both the Sepoys, the Nujeeb and the Sehbundy Men, had no other Intentions but those of obeying his Orders; and that he might, at all Events, make himself easy as to those Men. The Captain then said, "It was my Intention to have taken the Grenadier Companies, and the Two Guns, and to have marched to Banaris, and joined the Governor, by the Way of the Nuddy Kaunoon; and to have chastised the three Rajahs, with whom we should have fallen in on the Road; but the Grenadiers would not consent to this; do you inquire of them what their Intentions are." Agreeably

ably to the Orders of the Captain, I went at Night to the Line to the Subadars and Jemmadars and Sepoy Grenadiers, and asked what they wished for and intended. The Sepoys all replied, "If the Captain resolves to march to the Eastward, not one of us will go with him; moreover, we will march early To-morrow Morning to the Westward, to the Vizeer; whoever chuses to go that Way may accompany us." The Two Grenadier Subadars then told me to go to my Tent, for that these Matters the Two Companies had already talked upon with the Captain. I again endeavoured to prevail upon the Sepoys and Subadars, and told them to continue, and set their Minds at Rest; that I would go and speak to the Captain; that, if he approved of it, he would take them with him, and march to the Westward; that, at all Events, it would be better to obey him. At last I soothed and appeased them, and went to the Captain and told him what had passed. After this, the Captain ordered me to go to Mahommed Shuffee Khan, the Chuckladar, and tell him to prepare to march. I went to the Chuckladar, and delivered the Message. In answer, the Chuckladar, who had sent a Person named Munshan Ram, on his Part, to the Rajahs Ajeet Mull, Futteh Saw, and Genoo Roy, before mentioned, on a private Business, made the Want of Cattle for his Baggage an Excuse; and desired that we would halt Two or Three Days longer, and that he would then collect Beasts of Burden, and march. The said Chuckladar told me the next Day, and told the Captain also, that a Man of his was returned, and had brought Information, that Four Companies of Sepoys and Four Guns were come from the Rajah Cheit Sing, to the Assistance of the Rajahs Ajeet Mull, Futteh Saw, and Genoo Roy; and moreover, that they would cross the Gograh, and join them that Day. At length, Two Days after my Arrival, our whole Force marched toward Gooruckpoor; and, notwithstanding the Rajahs and the Country People molested us on all Sides on the March, and the Waters and Nullahs were out, yet in Six Days we arrived in Safety at Gooruckpoor.—There I heard from the People, that Orders from the Begum had arrived to all the Rajahs of Pergunnahs, not to permit any English Gentlemen, or any of their Dependants, to pass in Safety through their separate Districts; and that they had surrounded Ahlaud Sing, Subadar, who was stationed with a few Sepoys in the Fort of Gooruckpoor; but that, through the good Fortune of our Masters, the Enemy was repulsed, and obliged to retire; that no English Letters, or others, or Hircarrahs, were permitted to pass; and that, if the Country People discovered any English Letters or others in the Hands of Hircarrahs, they scourged them with the greatest Severity. In consequence of these (Accounts) the Captain sent for me, and said, "The People have raised great Disturbances in the Country; beyond this no Grain will arrive, therefore we must buy Grain here, and carry it with us." In the Space of Eight Days, Grain was procured for the March, and Bullocks got together, and in Four Days, notwithstanding the heavy Rains, we crossed the Raubty, and marched towards Sukroreh: From the Day that we arrived at Baunfy, for Six Days, such heavy Rains fell, both Day and Night, that no one had the Power to stir from his Place. Without Remedy, we halted during that Time, and on the First Day that the Rain subsided, we marched, and in Two Days arrived at Dummoorea Gunge. At that Place there was a Nullah in the Road, which was overflowed by the Rains, and stopt our Progress; and we were at last obliged to halt there One Day to make a Bridge, over which the Troops were passed. While we were crossing, the Country People showed themselves, but were repulsed, and obliged to retreat. We proceeded from thence the next Day, and March after March to Bulrampoor. As the River Kuwannah crossed our Way at that Place, we were obliged to halt there for One Day; at last we passed that River in Safety, and by repeated Marches arrived at Sukroreh. This Account, knowing it proper, is written according to the Truth.

Hurdeaul Sing,
sealed with his Seal,

" Num. 3. Q.

" Translation of the Deposition of Bejy Sing, Subadar.—The Deponent sworn before Chief Justice Sir Elijah Impey, November 26th, 1781.

" On the 13th of Ramzan I received Orders from Mr. Williams to join Mr. Gordon at Taundeh, and to deliver over the Gun and the Burgomauls to Kaumdar Beg. Agreeably to Orders, I delivered over the Gun and the Burgomauls to Kaumdar Beg, and set out. When I arrived at Naurood the Hooly Rejoicings had commenced; and the Country People gathered together on all Sides, and surrounded me. Making an Effort, I pushed on from thence about a Cofs; but the Enemy were now increased to a prodigious Number. Till Nine o'Clock at Night they continued to insult us; and when the Moon got up, they began to fire with Matchlocks; and they said, "You have struck off the Head of the Rajah Juggut Sing; where will you go?—we will strike off your Heads in Return. It is the Orders of the Begum, that whoever strikes off and brings in the Head of an Englishman, shall receive a Reward of a Thousand Rupees; and for the Head of a Subadar or Jemmadar a Hundred Rupees; and for every Sepoy's Head struck off and brought, that a Reward of Ten Rupees shall be given."—The Attack continued through the Night; One Sepoy was killed, and Seven Men and Three Horses wounded, of my Party. The Country People said, "Give up your Baggage, and Arms, and Coats, and go naked where you please:" But I stood firm, and we fought with them, and marched on, Night by Night, to Baunfy, where we were quitted by the Enemy. Having joined Dhoon

Dhooa Sing Subadar at Baunsi, we marched from thence with him. This which is related is true.

Beij Sing,
and sealed with his Seal.

" Num. 3. R.

" Translation of the Deposition of Merun, Moonshy to Mr. Gordon.—The Deponent sworn before Chief Justice Sir Elijah Impey, November 16th, 1781.

" I Merun, &c. considering God and the Prophet of God as present, do swear upon the sacred Koran to the following Facts which I give in Writing: That on the 7th of the Month of September, Mr. Gordon, with Four Companies of Sepoys, and a Hundred Horse of the Ruffauleh of Ruzza Beg Khan, did march from the Ghaut Jehoorah for Taundeh; and at that Time, from our setting out till our Arrival at Taundeh, Thousands of Country People assembled together, and attempted to cut off the Troops and the Baggage; so that there was a continued Action, both with Swords and Muskettry, all the Way.—But as the Order of March was well regulated, and the Sepoys were not deficient in Firmness and Resolution, many of the Enemy were killed; and on this Side, not a single Article of the Property of any one was plundered; Mr. Gordon conducting them all, together with the whole of the Baggage, in perfect Safety to the Nullah of Teerah, which runs beneath Taundeh. On our Arrival there, he intended to cross the Nullah, and encamp at Taundeh; and he gave Directions for the Troops to pass over. When they were about to cross, (it appeared that) all the Boats were on the opposite Side of the Nullah; and the People of the Taundeh Fougedar, whose Name is Shumtheer Khan, stood Guard over the Boats, and said, "It is the Orders of the Fougedar, that the Boats shall not pass over to that Side."—When Mr. Gordon heard of this, he wrote a Letter to the Fougedar, and sent it by a Hircarrah. The Contents of the Letter were: "I am a Servant of the Nabob, and am going to join the Army by his Orders; where is the Propriety of shutting up the Ghaut, and refusing to permit People to pass?"—The said Hircarrah took the Letter, and went to the Ghaut, and endeavoured to get over, but the Fougedar's People would not allow him to cross. When I saw that they would not permit the Hircarrah to pass over, I gave Mr. Gordon's Letter to a Servant of the Fougedar's, who had swam over to our Side of the Nullah to see one of his Friends; and I told him to convey it, by some Means or other, to the Fougedar. He put the Letter in his Turban, and swam back across the Nullah, and delivered it to the Fougedar, who read the Contents, but returned no Sort of Answer. At the Time when the Letter arrived, Mirza Ruzza Beg Khan, Ruffaulehdar, who by chance had arrived alone on some Business, and had crossed over before this Affair, was sitting by Shumtheer Khan, and is an Evidence that the Letter arrived. The said Mirza declared to me, and confirmed it by Oaths, that the Letter came to the Fougedar when he was present; and that, although he endeavoured to persuade him, it was to no Purpose. At last he sent for Three Guns, and some Tomuns of Matchlock Men, who were stationed at Taundeh; and he pointed the Guns across the Nullah at the Troops, and stationed the Men at the Ghaut, and ordered them not to permit a single Person to cross. In consequence thereof the Fougedar's People stood at the Ghaut, and used insulting Language; and said, that if any one attempted to cross the River, they would fire upon him. When Mr. Gordon saw this, that no Answer to his Letter had come from the Fougedar, and that his People were inclined to Hostilities, he directed me to go and explain Things to Shumtheer Khan, and persuade him to desist from such improper Conduct. According to the Orders I had received, I went to the Ghaut, and demanded a Boat, and said that I was sent by Mr. Gordon to the Fougedar on Business, and desired that they would allow me to cross over alone; but they would not listen to me, or send a Boat to carry me over. Without Remedy, I returned to Mr. Gordon, and informed him of the Behaviour of the People at the Ghaut. He said, "If they will not give you a Boat, it is no Matter; mount an Elephant, and swim him over."—I obeyed, and mounted an Elephant, and went and endeavoured to push the Elephant into the Nullah. The Fougedar's People at once levelled their Pieces at me, and said, "Beware—if you drive the Elephant into the Nullah, we will fire upon you, and kill you." Per Force I returned to Mr. Gordon: It was now almost Sunset. When the Country People saw this Affair, that the Fougedar of Taundeh was our Enemy also; that he had shut up the Ghaut, and would not permit us to pass, they charged us on all Sides. Our Sepoys seeing Thousands of the Country People assembled on one Side, the Ghaut shut up, and Shumtheer Khan disposed to Hostilities on the other; and being also much exhausted by the Skirmishing and Labour on the March, gave up their Resolution and Firmness at once; and throwing aside their Arms and their Coats, disposed themselves to Flight; and notwithstanding Mr. Gordon used every Means of Persuasion, both to the Sepoys and the Officers, no one either heard or obeyed him, until Mr. Gordon was left with only Ten Men and the Baggage; all the rest were fled. At this Time Cally Pershaud, a Bengaly of Mr. Scott's, who was stationed at the Koory, by a Thousand Intreaties and Supplications, obtained an Order to send One Boat from the Fougedar, and sent it over. Mr. Gordon then saw that none of his People had remained with him; that continuing there alone was to no Purpose, and therefore was obliged to cross over. All his Baggage, and the Baggage of his Servants and Followers, was plundered; that which they carried

carried over with them when they crossed, and delivered into the Hands of the Fougedar's People, who promised to protect it, was afterwards taken by them, and never returned. Some Days after, some Firelocks were produced from the House of the Fougedar; and many of the People's Effects were seen there; but the Fougedar's Men did not deliver them up. In short, this is the Substance of the Affair which happened at Taundeh; and I have wrote this Account upon Oath, that whoever reads it may know it to be true. Written with my own Hand.

Moonshy Merun.

" Num. 3. S.

" Translation of the Depositions of Meer Ahmud Ally, Subadar in the Battalion of Captain Williams, and Doond Sing, Subadar.—The Deponents sworn before Chief Justice Sir Elijah Impey, November 26th 1781.

" We, Meer Ahmud Ally, Subadar in the Battalion of Captain Williams, and Doond Sing, Subadar of Grenadiers in the Battalion of Major Macdonald, do swear (one) upon the sacred Koraun, and (the other) by the Ganges, &c. to the (Truth of the) following Deposition, which we give in Writing: That on the 7th of the Month of September, Mr. Gordon, with Four Companies of Sepoys, and a hundred Horse of the Rassauleh of Ruzza Beg Khan, did march from the Ghaut of Jehoorah toward Taundeh, and we (the Deponents) were along with him. From our setting out, till our Arrival at Taundeh, Thousands of Country People surrounded us on every Side, with Intention to cut off the Troops and the Baggage; so that we were continually engaged both with Swords and Small Arms the whole Way; but as the Order of March was well regulated, the Enemy could not succeed in their Attempts upon the Army. After skirmishing throughout the whole March, by which several of the Enemy were killed, we arrived in Safety, about Two o'Clock in the Afternoon, on the Bank of the Nullah of Teerah, which runs beneath Taundeh; after our Arrival there, Mr. Gordon wanted to cross the Nullah, and halt in Taundeh, and he gave us Orders to cross the Nullah. We attempted to pass over, but the Fougedar of Taundeh, by Name Shumsheer Khan, hearing that Mr. Gordon was about to cross the Nullah, prepared Three Guns, and Three or Four Tomuns of Matchlock Men, who were stationed with him, and posted them at the Ghaut, and they pointed the Guns toward the Troops of Mr. Gordon; and the Fougedar gave Orders not to permit a single Man belonging to that Gentleman to cross. Although Mr. Gordon wrote a Letter to the said Fougedar, it made no Sort of Impression upon him. At last the Evening came. It happened that Ruzza Beg Khan had arrived alone on some Business, before this Affair, and crossed over to Taundeh. The Cavalry belonging to the said Rassaulehdar, before any one else, swam their Horses across the River, and fled. The Sepoys seeing Thousands of Country People advancing, on one Side; the Ghaut shut up by the Fougedar Shumsheer Khan, who would allow no one to pass, on the other; and that the Cavalry who accompanied them were dispersed and gone, gave up at once their Steadiness and Resolution, and taking off their Coats, and throwing down their Arms, turned themselves to Flight, until Mr. Gordon was left with only Ten or Eleven Men, for all the rest had fled. At this Time Cally Pershaud, Mr. Scott's Bengally, who resided at the Kooty in Taundeh, by a Thousand Supplications and Entreaties, obtained an Order from the Fougedar for One Boat, which he sent over. Mr. Gordon was then alone on the Bank; he was forced to cross; and all the Baggage belonging to him and his Followers was plundered.

Meer Ahmud Ally, and Doond Sing.

" Num. 3. T.

" Translation of the solemn Declaration of the Ranny Golaub Kooer, made on the 12th Day of November 1781; before Chief Justice Sir Elijah Impey.

" On the 27th of Shabaun, Sunday, the Chiefs who came to Ramnagur from Lutteefgur, appointed by Rajah Cheit Sing, were Mocundy and Ram Bukth, Bhemun Sing, and Cullian Sing, and Baul Kishen Huzzarry, and Sirdar Sing, a Follower of Ramjewun, and Ram Sheweh, a Follower of Ajayb Sing, and Dildar Hooftin Khan, and Nuzzur Ashriff, with their own Parties. On the next Morning, which was Monday the 28th of Shabaun, the above-named Chiefs had an Engagement at Ramnagur, with the Companies which came from the Fort of Chunar; at Two Pahr and a Half of the Day ($\frac{1}{2}$ past One P. M.), those Companies were defeated, and the Intelligence was immediately sent to Lutteefgur; and at One Pahr of the Night (Nine o'Clock), Bauboo Soojaun Sing having left Lutteefgur, with Gholaum Hooftin Khan, and Fys-Oolla Khan, arrived that same Night at Ramnagur, when Two Gurries of it remained.

" Tuesday the whole Day he was employed in Preparations, and in stationing the above-mentioned Chiefs, and in loading Bamboo Ladders on the Boats, and Guns upon the Pinnacle. And he gave Orders to the Chiefs and the Troops, that at Twelve at Night, on Wednesday, they should cross and attack the Governor General, and the other English Gentlemen who resided in Mehadeu Daus's Garden. All the Inhabitants of Ramnagur, as well as I, saw and heard these Particulars.

“ With respect to Cheit Sing’s having, from of old, an improper Correspondence with the Begums at Lucknow, and the Rajah of Bheraich and Gooruckpoor, the Declaration of the above Ranny is as follows :

“ Since Two Years; on account of the Enmity of Cheit Sing to me, I had left Ramnagur, and resided in another Dwelling ; and Cheit Sing had always acted towards me with such Enmity and Opposition as cannot be described ; how, therefore, should he have acquainted me with his Correspondences ?—but I have heard from Report, that he had in many Places improper Correspondences. However, it is very plain that he had Enmity towards the Governor General ; because, whenever he learned any thing to the Prejudice of the Governor, from the Letters of his Vakeels, or the Reports of ill-designing Persons, he used to rejoice :—This is known to all the Inhabitants of Ramnagur. Accordingly, when the Governor General was lately coming from Calcutta towards this Quarter, the Rajah and his Companions used to say, “ the Governor has been displaced, and is making his Escape to Hindostan.” Besides, from the Rajah’s going to Buxar to meet him with the greatest Preparations, his Intention plainly appears.

Ranny Golaub Koer.

“ Num. 3. U.

“ Translation of the Deposition of Gudgerauge Sing.—The Deponent sworn before Chief Justice Sir Elijah Impey, November 12th, 1781.

“ I Gudgerauge Sing, the ancient Kelladar of Ramnagur from the Time of the deceased Rajah Bulwant Sing, do declare and give in Writing without Reserve (considering God to be present and a Witness) all that I have done, seen, or heard, to the following Effect :

“ On the Day that the Engagement happened between the Forces which came from Chunar and the Troops of Rajah Cheit Sing, I was in Readiness in the Fort of Ramnagur, with the Burkandazes with their Matches lighted. When the Chunar Army had been defeated, a Budgerow from the Westward came near the Ghaut of Buxey Suddanund. Having observed it from the Fort, I went out by the Wicket Gate, which is to the Southward, with Seven or Eight Burkandazes ; the Rowers, and other People belonging to the Budgerow, on seeing this, leaped into the Water, and the Gentleman was killed by the Stroke of a Sword from the Men who accompanied me. About this Time I received Intelligence that the Rajah’s Cavalry, who opposed the Chunar Army, had fled ; upon this I was greatly confused, and was desirous of carrying the Budgerow under the Fort, but the People of Buxey Suddanund took possession of the Budgerow, and declared that they would keep it, as it had come to their Ghaut. Two Burkandazes brought from the Budgerow Two Muskets and some Cloths, and One of my People took One Musket, whilst the Burkandazes took more Cloth and Arms. From thence I went to my Charge in the Fort.

“ My further Deposition is as follows :

“ On the Night of the same Day that the Army from Chunar was defeated, about Two Ghurries of the Night remaining, Bauboo Soojaun Sing arrived from Lutecfgur at Ramnagur. I heard from several Persons, that the said Bauboo had given Orders to his Troops and Chiefs, to make a Night Attack on the Governor General and the other Gentlemen who were in Mahadew Dafs’s Garden. Accordingly, he employed his Troops in bringing Bamboo Ladders, and loading them on Boats, and every one was preparing for the Attack.

“ I swear, that whatever is written in this Paper is true.

Gudgerauge Sing (a).

“ Further Extract from the same Appendix, P. III. P. 184.

“ F I F T H P A R C E L.

“ Num. 5. A.

“ Affidavit of Captain Davy.

“ Captain William Davy, private Persian Secretary to the Honourable Warren Hastings Esquire, Governor General of Bengal, &c. &c. upon Oath, faith, That he is acquainted with the Language spoken by the Persons who made the annexed Depositions ; that he received said Depositions verbally, from each of said Deponents his separate Deposition ; and that he has rendered them faithfully into English, to the best of his Knowledge and Judgment ; and that he has faithfully explained to said Deponents, in their own Language, to each his proper Deposition, the Contents of said annexed Deposition.

Sworn before me this 3d Day of

December 1781.

E. Impey.

* Vide supra, from P. 233 to 246.

. "NUM. 5. B.

" Affidavit of Sheakh Mahommed Aumeen Meyher.

"Deposition of Sheakh Mahommed Aumeen Meyher, late a Commandantin the Service of Cheit Sing.—Upon his Oath says, He was the Servant of Cheit Sing; that he commanded a Battalion of Eleven hundred and Fifty Sepoys in his Service; that he accompanied Cheit Sing when he went to Buxar to meet the Governor General; that there was with Cheit Sing at that Time, the following armed Force: Two hundred and Twenty-eight Sepoys under the immediate Command of this Deponent, Six hundred Matchlock Men under the Command of Seuperlaud Sing, and Three hundred Peadahs, or Sword Men, called Huzzoory or Guards; that the above-mentioned Troops accompanied the Rajah in Boats; and that the said Rajah Cheit Sing was also attended by a Body of Six hundred Cavalry, under different Leaders; that the Cavalry marched down on the Southern Bank of the Ganges, and directed their Movements by the Motion of the Fleet of Boats in which the Rajah and his Infantry were embarked: That when the Rajah Cheit Sing arrived at Ghauzipoor, he was joined by Bullum Dafs the Aumil, and the Dewan Ruggoobur Dial; and that when he proceeded on from thence, a Detachment of Cavalry and Matchlock Men (stationary Troops at Ghauzipoor) in Number about Five hundred, accompanied the Rajah, marching along the Northern Bank of the River in the same Manner as the Troops on the opposite Side, moving when the Fleet moved, and halting when that halted; that the Rajah arrived, and encamped on the Northern Side of the Ganges, opposite the Fort of Buxar; that the Governor General arrived at Buxar the next Day; that the Rajah crossed the River, and waited upon him; that he returned to his Camp, and about Three o'Clock in the Afternoon put his People and Fleet in Motion, returning as he had went, and the Troops on the Banks of the River accompanying the Boats; that the Governor General proceeded the next Morning, and came up with the Rajah at Zemeneeah, about Twenty Cofs from Buxar; that the Rajah again waited on the Governor General on board his Boat, and that the Governor General then proceeded on before the Rajah, the Rajah following at the Distance of Four or Five Cofs, until they reached Banaris; that the Governor General went to the Garden of Mahadew Dafs, and the Rajah to Shewallah Ghaut, his armed People taking their Stations in their Neighbourhood; that his (the Deponent's) People did not arrive with the Rajah, but that he joined him with Fifty Sepoys, and took his Station near to Shewallah; that Two Companies of Sepoys also joined the Rajah from Ramnagur.—The Deponent further says, That on the Day that the Three Gentlemen and the Two Companies of English Sepoys came to the Rajah, and the Circumstance of his Arrest was known, the Rajah's People (who were then stationed round Shewallah), to the Number of about Four thousand, were armed and prepared for Action; that at this Time Munnihar Sing, Seuamur Sing, and Nunkoo Sing, went to the Rajah: That the Disturbance and Dispute at the Gate ran high, and encreased every Moment: That the Huzzoories, Peadahs, and others, with their Arms, got upon the Chuppers which were erected against the Wall on the Outside; that the Matchlock Men fired upon a Company who were without Shewallah; that the Deponent counted Seven Matchlocks which were fired, and saw a Sepoy fall by the First Shot; that the Moment the Firing was heard, the Rajah's People forced their Way Sword in Hand into Shewallah, and cut the Gentlemen and Sepoys to Pieces; that the Rajah Cheit Sing escaped during the Conflict to Ramnagur, and from thence to Lutteefpoor.

" The Deponent further says, That after the Detachment from Chunar was repulsed near Ramnagur, and obliged to retreat, Soojaun Sing and the Buxey Suddanund arrived with Troops at that Place, and that by Orders from the Rajah they prepared Scaling Ladders, &c. in order to make a Night Assault on the Garden of Mahadew Dafs; that Boats were prepared, and Guns and Troops marched down to the Ghaut of Auli Sungum; that the Sepoys belonging to the Deponent refused to cross the River until they had obtained some Refreshment, having been without Food for Two Days; that the Night passed away without any Thing being done, and that the Governor General on that Night quitted Banaris, and arrived at Chunar; that Soojaun Sing and Suddanund Buxey wrote a Complaint to Cheit Sing against the Troops under the Command of the Deponent the next Morning; and that Soojaun Sing sent a Company of his own Sepoys to take possession of the Garden of Mahadew Dafs; that they plundered the Property of the Gentlemen at that Place, and returned to Ramnagur.

" The Deponent further says, That the following is, to the best of his Memory, a true List of the Forces with Rajah Cheit Sing; those on the regular Establishment, those newly entertained, and those who came in to his Assistance.

" List

" List of the Established Forces in the Service of Cheit Sing.

" Cavalry, Sepoys, Matchlock Men, &c.

	Number.
Cavalry	1,700
Body Guards, or select Troops, Cavalry and Infantry	700
Sepoys	1,150
Matchlock Men	1,800
Attached to Bullum Dans	800
With Soojaun Sing	500
Sepoys and Artillery Men, with Two Guns	340
With Munnear Sing	700
Total	7,690

" Troops entertained after the Arrival of Cheit Sing at Lutteefpoor.

First, entertained at Lutteefpoor	2,000
Second, — Nujeeb	1,000
Total	3,000

" Troops assembled from different Places.

Infantry and Cavalry with Juggurdeave Sing	500
Matchlock Men arrived with Bukht Sing, by Orders from Rajah	1,200
D° with Gooman Sing, sent for by the Rajah	500
D° from the Fougedar of Bidduw	1,000
Raujpoots of the Tribe of Kugbunse from Kurraukut	3,000
With Dillun Sing, Fougedar of Mukurun Baudshaahpoodmate	1,500
Cavalry and Infantry arrived with Ruzza Roal Khaun	300
Raujpoots collected from Agoree and Purwah by Dea Lutchoo	500
D° of the Tribe of Cummur collected by Soojaun Sing	1,000
Sword and Matchlock Men with Ranju Awun	2,000
Total	11,500

Total Troops in the Service of Cheit Sing — 22,190

To which are to be added Husbandmen and Adventurers who took up Arms, making the foregoing Number amount to near 40,000 Men.

(Signed) Sheakh Mahommed Aumeen Mhiur.

Sworn (the Contents being first explained to
the Deponent by William Davy Esquire)
this 3d Day of December 1781.

(Signed) E. Impey.

" Num. 5. C.

" Deposition of Sheakh Hoffsin Oolla, Jemmadar, relative to the Action at Shewallah Ghaut, at which Period he was Havildar and Orderly with Lieutenant Stalker.

" The Deponent upon his Oath says, He was one of those who attended Mr. Markham and Lieutenant Stalker when they went to the Rajah Cheit Sing at Shewallah Ghaut, with about Fifty orderly Sepoys, armed with Swords only; that a short Time after, Two Companies of Sepoys arrived under the Command of Lieutenants Scott and Symes; that Mr. Markham returned from the Rajah's with about Thirty of the Orderlies; that he, the Deponent, continued during the whole of the succeeding Transaction near to Lieutenant Stalker; that he saw Lieutenants Scott and Symes enter Shewallah with their Swords drawn, and shortly after observed Guards posted in different Places, from which he discovered, for the first Time, that the Rajah was in Arrest; that after the Departure of Mr. Markham there were present Messrs. Stalker, Scott, and Symes, with Seven or Eight Sepoys (Orderlies) attending just without the Apartment, where they were seated with the Rajah; that several of the Rajah's People, all armed, to the Number of Forty, were seated without the Purdahs; that Centries were posted round the Building; and that the Two Companies remained without the Inner Gate; that many of the Rajah's Peons, to the Amount of about Three hundred, were assembled in the same Place; that several Notes were sent off by Lieutenant Stalker, and One Note received by him; that about Twelve o'Clock at Noon the Rajah desired Permission to perform his Ablutions, which was refused, unless he would send for Water and perform them on the Spot, which he did accordingly; that before this Period, the Rajah's People between the Outer Gate and that which led immediately to the Building, made

Two

Two different Attempts to force their Way through the Inner Gate, but were kept back by the Two Companies who were posted there; that Lieutenant Stalker once went himself to the Gate, and struck One of the Rajah's People, who was endeavouring to force his Way in; that the Rajah's People appeared to be highly irritated, and that the Subadars of the Companies found it necessary to fix Bayonets—Says, That Messrs. Scott and Symes accompanied Lieutenant Stalker on this Occasion, but that he, the Deponent, continued near the Rajah with Three or Four Sepoys, by Orders from Lieutenant Stalker; that he nevertheless saw what passed through the Stone Lattice, which surrounded the Building; that at this Period the Rajah sent his Buxey to forbid his People from making any Disturbance, and the Affair subsided; that the Gentlemen returned to the Rajah. The Deponent further says, That after the Rajah had finished his Ablutions, he retired to a Stone Pavilion, or Sort of Bastion, to perform his Devotions; that Three or Four orderly Sepoys were directed to attend him at a small Distance, to observe his Motions (the Officers continuing in their Places); that at this Period a Chubdar (named Cheit Ram) came from Mr. Markham, and delivered a Message to Mr. Stalker; and that the said Chubdar afterwards went to the Rajah Cheit Sing, who was still at his Devotions; that he appeared, by his Manner and the Loudness of his Voice, to be speaking insultingly and passionately to the Rajah; that at this Period a Report of Matchlocks was heard, and One of the Subadars, Bishen Sing, called out to the Officers, that they were fired upon by the Rajah's People from the Outer Wall; that the Gentlemen started from their Seats, and drew their Swords; that Lieutenant Stalker rushed forward toward the Gate, and that Lieutenants Scott and Symes attempted to follow him; that the Moment the Firing commenced from the Outer Wall, the Two Companies were attacked by the Three hundred Peons in the Space between the Two Walls with them; at the same Instant the Officers and their Orderlies were attacked by the Forty of the Rajah's People (said to be within the Building at the Beginning of this Deposition); that the beforementioned Subadar Bishen Sing forced his Way through the Inner Gate, with about Twenty Sepoys, to the Assistance of the Officers; that the Passage was soon stopped up by the Number of Dead and Wounded in the Gateway; that after the Communication was cut off, the Action still continued both within and without, the Two Companies still fired upon from the Outer Wall; that the Deponent saw Lieutenant Stalker defend himself with great Resolution with a Sword, which he had taken from One of his Sepoys; that the Deponent himself in a short Time received several Wounds, and fell; that he fainted, and therefore has no further Knowledge of what passed during the Remainder of the Action, or how the Rajah made his Escape; that when he recovered his Senses he saw Lieutenant Stalker lying dead near him, with many of the Sepoys; that he heard a Firing, which one of the Wounded told him proceeded from a Company of Sepoys, who were driving off the Rajah's Matchlock-men; that he, the Deponent, continued on the Ground the whole Night, but was removed the next Morning to the Garden of Mahadew Dafs.

The Mark of Sheakh Hossain Oolla, Jemmadar.

Sworn before me (the Contents being first explained to the Deponent by Will. Davy Esquire) this 3d Day of December 1781.

E. Impey.

“ NUM. 5. D.

“ The Deposition of Bishen Sing, Subadar, relative to the Action at Shewallah Ghaut.

“ Upon his Oath, says, That in the Morning of _____, Lieutenants Scott and Symes gave Orders that Two Companies of Grenadier Sepoys should be got ready; that the Companies were immediately paraded, and that the above Gentlemen marched with them to Shewallah, where the Rajah Cheit Sing resided; that Lieutenant Symes with One Company took Post within the First Gate; that the Company under Lieutenant Scott stationed themselves at the Inner Gate; that Lieutenant Stalker ordered him to post a Guard of a Havildar and Twelve Sepoys at the small Gate leading to the River, and another Guard at the Gate opening from thence into Shewallah; that he posted Guards as he was ordered, and that he sent out a Havildar to see what Number of Men were in the neighbouring Gardens and Cantonments, and what they were about; that the Havildar brought back Information, that the Rajah's People were all arming themselves, and loading their Matchlocks; that he communicated this Intelligence to Lieutenant Stalker, and added, that the Rajah's People were certainly preparing to attack them; that at this Period the Rajah's Buxey arrived; that he went in to Cheit Sing, and that he saw him make a Motion with his Hand as one striking with a Sword; that the Deponent saw this from the Inner Gate where he was standing; that Cheit Sing's People became turbulent, exclaiming on all Sides, that they (the English) had made their Rajah a Prisoner, and calling out to attack them; that he found it necessary to order the Sepoys to fix their Bayonets, and that he sent Information to Lieutenant Stalker, that they were about to be assaulted; in consequence of which, Lieutenant Stalker came out to the Place where Lieutenant Symes was posted with his Company; that Lieutenant Symes, pointing to the Rajah's People with his Hand, told Lieutenant Stalker, that those People were going to attack him; that Lieutenant Stalker spoke to the Rajah's People, and returned, and that

that the Clamour in some measure subsided; that at this Juncture Munnear Sing, and his Son Nunkoo Sing, and Seuamur Sing, arrived, and teated themselves by the Rajah; that at this Instant an Hircarrah brought Intelligence to the Rajah, that another Company of English Sepoys were coming from Murwarry, and that they were arrived near at hand; that at this Period, one of the Rajah's Matchlock Men fired at the Company which was advancing; that the Moment the Report of the Matchlock was heard, the Rajah's People within, who were alarmed, became very turbulent; the Noise and Confusion increased, and Lieutenant Scott came out and enquired into the Cause of it; that the Action immediately commenced within, and that Lieutenant Stalker called out to the Deponent to enter with his Company; that he attempted to obey the Orders which he had received, but that the Attack at that Instant began without the Inner Gate also; that it was no longer possible to enter with his Company; but that he nevertheless forced his Way in with about Twenty Sepoys; that Mohun Sing, Subadar, the Moulavy, and Cheit Ram (Mr. Markham's Chubdar), were first cut down; that Munnear Sing struck at Lieutenant Stalker with his Scymetar, but without Effect; that Lieutenant Stalker made a Thrust at Munnear Sing with his Sword, without Effect also; that Lieutenant Stalker threw the Sword from his Hand, and took a Scymetar from one of his orderly Sepoys, with which he continued the Action; that Nunkoo Sing afterwards made a Stroke at Lieutenant Stalker; that the Rajah's People, who were now assembled in great Numbers both within and without, charged the English Sepoys Sword in Hand, and continued the Attack till Lieutenants Stalker and Scott, with all the Sepoys, were cut down; that the Deponent's Arm was struck off by the Blow of a Scymetar; that he received several other Wounds, and at last fell, and that he continued there among the Dead and the Wounded, until a Company of Sepoys came and carried off those who remained alive.

Bishen Sing, Subadar.

" Sworn before me (the Contents being first explained to the Deponent by W. Davy Esquire) this 3d Day of December 1781.

E. Impey.

" NUM. 5. E.

"Deposition of Ruggoobur Sing, Orderly Sepoy to Lieut. Stalker.

"The Deponent (upon his Oath) says, He went with Lieutenant Stalker and Mr. Markham to Shewallah, where the Rajah Cheit Sing resided, and that he went with them into the Prefence of the Rajah; that shortly after Two Companies of Sepoys arrived, with Two Gentlemen, whose Names the Deponent does not remember, being a newly-enlisted Sepoy; that those Two Officers came in and continued with the Rajah and Lieutenant Stalker; that he the Deponent was directed by Lieutenant Stalker to attend, with Three other orderly Sepoys, in the Apartment where the Officers were sitting with the Rajah; that the rest of the orderly Sepoys remained without the Purdahs, which were let down in the Front of the Apartment; that he is unacquainted with what passed without the Gate, where the Two Companies were, or what People were there on the Part of the Rajah. The Deponent does not recollect, nor can he, he says, relate the Circumstances which passed before the Attack commenced; but in Reply to a Question put to him, Whether Mr. Markham's Chubdar, Cheit Ram, spoke to the Rajah? he says, that said Chubdar brought a Note to Lieutenant Stalker at the Time when the Rajah's People without were endeavouring to enter; that he delivered the Note to Lieutenant Stalker; that at this Time the Noise and Confusion at the Gateway was very great; that the Chubdar went from Lieutenant Stalker toward Cheit Sing, who was then sitting at the Place where he performed his Devotions; that he told him to order his People to desist; that he (the Chubdar) was Cheit Ram, and that the Rajah was but Cheit Sing; and that if he did not make his People desist, he would confine him:—Says, He was an Ear-witness to the foregoing; that it was at this Moment the Firing was heard, and the Attack began; that Lieutenant Stalker's Hircarrah had his Sword; that he called to this Deponent to give him his Sword, which he did, and stood behind Lieutenant Stalker by his Orders, with the Scabbard in his Hand, until that Officer fell; that he was soon after cut down himself; that he was deprived of Sense, and knows nothing of what passed afterwards.

The Mark of Ruggoobur Sing, Sepoy (a)."

" Sworn before me (the Contents being first explained to the Deponent by W. Davy Esquire) this 3d Day of December 1781.

E. Impey.)"

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(a) Vide supra, from P. 247 to P. 251.

“ [N I N T H P A R C E L .

“ Num. 9. A.

“ Affidavit of Nathaniel Middleton Esquire.

“ Nathaniel Middleton Esquire, on his Oath, saith, That he left Lucknow on the 19th August 1781, and joining the Nabob Vizeer at about Ten Coss distant, proceeded with him towards Banaris, with an Intention to meet the Governor General, who was expected shortly at Lucknow: That about Three or Four Days after his Departure, he heard of the Disturbance at Banaris, and of the Massacre of Three European Officers, with a Number of Sepoys, at the Instigation of Rajah Cheit Sing, which prevented the Governor General's setting out for Lucknow, as he had intended; and on his Arrival at Doudnagur, on the 24th of the same Month, he received imperfect Accounts, through the Channel of the Vizeer's public Intelligence, of the Retreat of the Governor General and his Party to Chunargur; and the same Account, as well as many others, set forth, that the Rajah Cheit Sing had issued his most positive Orders to all the Zemeedars and Officers of his Government, to put every European to Death that they could lay hold of; to seize and severely punish any Natives who should be found in the Service of or connected with the English; and in general, to use every Means in their Power to promote an Insurrection throughout the Country; for which they should be liberally rewarded: That he had also written Perwannahs, or Letters, to many of the Zemeedars of the Vizeer's Country, encouraging them to raise Disturbances in their respective Districts, and to assist him with Troops; for which he promised them large Sums of Money: That this Report was made to him repeatedly, through various Channels, and implicitly credited not only by himself, but he firmly believes by the Vizeer and every Man in his Retinue: That in consequence of these Occurrences, the Vizeer, who had left Lucknow with a very small Force, determined to wait for Reinforcements before he proceeded; and accordingly, summoning his Troops from all Quarters, halted at Hufsanpoor until they joined him: That on the 31st of said Month he, this Deponent, in Company with the Vizeer, left Hufsanpoor, and proceeded towards Chunargur: That on his Arrival at or near the Village of Gopee Gunge, he heard from several different Persons, whose Names he does not at present recollect, that a Number of dead Bodies were seen, some in a Well situated near the Road Side, and others lying on the open Plain, partly covered with loose Earth, or Sand, that had been thrown over them: That these Bodies were supposed and generally believed to be the Bodies of Dauck Hircarrahs, and other Travellers dependant on the English, who had been seized and murdered in consequence of the aforesaid Orders of Rajah Cheit Sing: That this Deponent did not see the Bodies, but had not a Doubt of the Truth of the Story, as it was mentioned by several Persons at the Time they were passing the Place, and afterwards by others who had stopped to see them: That in a small Mud Fort and Village near the Place where the Bodies were discovered, he, this Deponent, heard from Almas Ally Khan, a principal Farmer of the Nabob Vizeer's Revenue, that there were several hundred armed Men assembled in the Service of Rajah Cheit Sing; but for what particular Purpose he did not learn: That some Days after his (this Deponent's) Arrival at Chunar, he was informed by Two Hircarrahs, who brought him an Express from the Aumil of Illahabad, that in passing through Gopee Gunge they had seen the dead Bodies of Two Europeans, who they supposed had been murdered by the Inhabitants of that Place: That he heard at the Time, and believed, and does still believe, that much Encouragement, and some actual Aid in the raising of Troops, was given Rajah Cheit Sing by Behar Ally Khan and Jewar Ally Khan, the Two principal Eunuchs and Counsellors of the Vizeer's Mother at Fyzabad; and that their Conduct, as well as that of their Dependants, during the Continuance of the Disturbances at Banaris, manifested a strong Disaffection to the English: That he further heard from his own News-writer stationed at Fyzabad, that a Vakeel, or Agent, from Rajah Cheit Sing had been received at that Place, and allowed to remain under the Protection of the said Eunuchs; but for what particular Purpose, or what was the Nature of his Commission or Negotiations, this Deponent has not been able to discover.

Nathaniel Middleton.

“ Sworn this 27th Day of November 1781, before me,

E. Impey.

“ NUMB. 9. B.

“ Affidavit of Lieutenant Colonel Alexander Hannay.

“ Alexander Hannay Esquire, Lieutenant Colonel, commanding a Corps of his Excellency the Vizeer Assof-ud-Dowlah's Sepoys, on his Oath, declares, to the best of his Remembrance and Belief, the following Circumstances respecting the State of the Country he was stationed in, and the Reports that prevailed there during the Months of September and October 1781:—That, in obedience to Orders he received from his Excellency the Nabob Vizeer for that Purpose, on the 28th of August 1781, he issued Orders for forming a Detachment, consisting of One thousand Sepoys,

Sepoys, Four Guns, and Five thousand Horse, from the Troops under his Command, to assemble at Akberpoor, on the Road leading to Jowanpoor: That Eight Companies of Sepoys, Two Guns, and about One hundred Horse of the said Detachment, were ordered to cross the Gogra at the Chowra Ghaut, and proceed to Akberpoor: That Two Companies of Sepoys, Two Guns, and the Remainder of the Horse, were ordered to cross at Fyzabad, and encamp on the Runna until the Arrival of the Deponent, who was from thence to march them to Akberpoor, the appointed Rendezvous of the Detachment: That the Deponent arrived at Fyzabad on the Evening of the 7th of September, with the Intention of pursuing his March to Akberpoor the next Morning; but was detained, from the Horsemen having been seduced into the Town, where they were tampered with by the Servants and Agents of the Begums to decline proceeding further with him: That the Subadars of the Two Companies of Sepoys represented to him, that Guards were placed (said by the Authority of the Begums), to prevent the Sepoys, or any one connected with the English, from entering the Town; and upon Enquiry, it appeared that such Representation was true: That the Deponent learnt from various, and what he deemed Information to be depended on, that the Agents of Rajah Cheit Sing were publicly suffered to raise Troops in Fyzabad; and that the Eunuchs of both Begums encouraged the People to enter into his Service, particularly Jewar Ally Khan, who was represented to have gone into the Chouk for this Purpose: That the Deponent was credibly informed, that Two or Three Days before his Arrival at Fyzabad, a Man named Sheakh Khan had marched from thence, in order to join Rajah Cheit Sing, with about a Thousand Horse and Foot, and that several other Detachments had before proceeded from thence with the same Design. These Transactions were of so public Notoriety, and so generally believed, that the Deponent deemed it his Duty to represent their Impropriety to the Bow Begum*, but could obtain no Answer. On the Evening of the 8th of September, the Deponent received a Letter from Lieutenant Gordon, who was on his March to join him at Akberpoor, informing him that he had been attacked on his March from Chowrah Ghaut by great Bodies of Men, assembled to oppose him; and that on his Arrival at Taundeh, the Conduct of Shumsheer Khan, the Begum's Aumil of that Place, had effected the Loss of his Detachment, as appears from the following Copy of his Letter to the Deponent, relating the Circumstances of that unhappy Disaster.

“ Copy of a Letter from Lieutenant John Gordon to Lieutenant Colonel Hannay, dated at Taundeh, the 10th of September 1781.

“ I had the Honour to write you on the 8th Instant, acquainting you with the Disaster which happened to my Detachment; and I now beg leave to lay before you the Particulars of that unfortunate Affair.

“ When I crossed the Gogra, on the 6th, at Chowrah, with the Four Companies of Sepoys, and about Eighty Horse (in all near 400), I saw that the Country was disaffected: My Force, however, I judged to be quite sufficient to join you at Akberpoor; indeed, I did not conceive that his Excellency's Troops, marching to join him by his Order, could meet with any Interruption.

“ On the 7th, at Day-break, I marched; and about Half a Mile from Chowrah, when crossing a Nullah, where I had sent Boats Overnight, I observed great Bodies of Men assembled to oppose my March: I immediately made what I judged to be the best Disposition of my small Corps; and the Behaviour of the Men did them great Credit; for though during the whole of the March of Eight Cos, we were attacked, and often surrounded, by incredible Numbers of People, yet we constantly beat them off, killing and wounding many of them; and arrived, with very little Loss, about One o'Clock in the Afternoon, at the Teerea Nullah, which runs by Taundeh, bringing the whole of our Bazar and Baggage in the most complete Safety. I now imagined myself in a Friend's Country, and intended crossing the Nullah, that my People might halt for the Day, and refresh after their fatiguing March: For this Purpose I ordered my Bazar and Baggage to be sent over, and Part of the Sepoys to stand to their Arms: A great Number of our Enemies were still in Sight; but judge of my Surprise, when I was informed that the Boats were all on the other Side of the Nullah, and that none of them were permitted to cross. I immediately wrote to the Begum's Aumil, Shumsheer Khan, acquainting him, that I was marching with the Vizeer's Troops, by his Orders, to join him; that I was astonished at his stopping the Ghaut, and desired he would send Boats for the Transport of my Detachment. To this no Answer was made; but immediately Three Guns were brought near the Ghaut, and pointed to us; and a Number of Nujeebs were posted on the Banks of the Nullah, who threatened to fire if anybody passed. It is proper to remark here, that near the Ghaut there were a great many large Boats belonging to Mr. Scott, whole Gomastah, notwithstanding his most earnest Entreaties, was prevented from lending them by Shumsheer Khan; and even the Plunder of his Factory and his Life were threatened, if he attempted it.—When I found this to be the Case, I took possession of a very strong Ground, surrounded on Three Sides by the River and Nullah; on the Fourth Side, where only I could be attacked by the Country People, I ordered the Sepoys to make a Breast-work, by piling

* the Nabob Vizeer's Mother, called in the Narrative Navaub Alla.

“ up Planks, of which there were a great Number; and as I had Ammunition and Provisions, I intended to wait there until I could procure Boats, or discover a Ford. While I was thus employed, I found that Mahommed Ruzza Beg, the Jemadar of Horse, had swam across the Nullah, and procured Permission for his People to follow him, which they immediately did. No Answer coming from the Fougedar, I desired my Moonshy to go to him, and explain the Matter; he accordingly went to the Ghaut, and demanding a Passage, he was refused, and insulted in Terms the most opprobrious to the English. He returned; and telling me this, I ordered him to take an Elephant and swim over; but when he attempted to enter the Nullah with the Animal, the Nujeebs pointed their Matchlocks at him, and obliged him to desist: The Sepoys seeing this, and that the Horsemen were permitted to swim across, naturally imagined that the Objection was to the English only, and their Adherents; they thought it safest to abandon me, whom they must have concluded to be devoted, and, throwing down their Coats and Arms, they followed the Example of the Horsemen in swimming across the Nullah, making a Merit with Shumsheer Khan of giving me up to my Fate. One of the Subadars represented to Two others the Folly of their suffering for One Person; and proposed to them to deliver me up to Shumsheer Khan, or to the Country People; but this Proposal they rejected with Scorn: The Desertion however was almost complete; for in a little Time, of the Four Companies, not Twenty Men remained, including Officers. It was now almost Evening, when Mr. Scott's Gomastah, with great Difficulty, at last obtained Permission from the Fougedar to send One Boat; but it came too late to render any effectual Service; for with the few Sepoys who remained, Command was at an end; and, as most of my Servants had gone off, my Baggage was left a Prey to the Banditti, who soon carried off and destroyed it. Some Things, which a few of my Servants brought with them, they gave in Charge of the Fougedar's People, to take care of them; but they reserved them for themselves, or rather for the Fougedar; and though many of my Things were taken in his House, I never could recover a single Article. I am still in Mr. Scott's Factory, which there is every Reason to think will be attacked, as Numbers of People are assembled in the Neighbourhood for that Purpose; and as the Fougedar positively refuses to grant the least Assistance, God knows what may be the Consequence: However, as it is evident that Shumsheer Khan was the sole Cause of this Disaster, I hope that exemplary Punishment will be inflicted on him, and if I survive I doubt not but I shall be reimbursed for what I lost by his Villany.

“ I have the Honour to be, &c.

“ J. Gordon, Lieut.”

“ The Deponent further saith, That both from Observation and Information, he doth believe that a general and universal Insurrection took place, before the 15th of September, in all the Country to the Eastward of the Gogra, from Mangee to Baraich, and on its Western Banks from the Borders of the Banaris Districts to the Extremity of Kheirabad; that it was created and fomented by the Agents of Rajah Cheit Sing, disaffected People at Fyzabad, and about the Vizeer's Court; and that the Expulsion of the English was its Object. In the Districts of Gooruckpoor, and indeed in all the Pergunnahs below Fyzabad, it was generally asserted, and the Deponent never heard the Assertion contradicted, that the Rajah Cheit Sing furnished the principal Zameedars, particularly the Rajahs Futteh Saw, Genoo Roy, Ajeet Mull, Zalim Sing, and Perty Pall Sing, with considerable Sums of Money, in order to subsist the Force they collected on this Occasion; and that he granted them ostensible Certificates under his Seal, engaging to discharge whatever Expence they might incur in the Service of the Insurrection. These Certificates and Perwannahs they received, or pretended to have received, under the Seal of the Vizeer, confirming them in their hereditary Zameedaries; and appointing them Aumils on the Part of the Sirkar in their respective Pergunnahs, gained them an unbounded Influence over the Inhabitants. The Aumils of the Country in general were obliged to fly from their Stations; the Nujeebs and Sebundy joined the Insurgents, or dispersed; all Ferry-boats were sunk or destroyed; many of the Dauck Hircarrahs were slain, and the rest obliged to fly, which effectually cut off all Correspondence, as well as Communication, and the Country remained in a State of Distraction which cannot well be described, until the Beginning of October; when the News of our Success at Banaris, and the Nabob's Return to Lucknow, calmed the Tumult.

“ Sworn this 26th Day of November.

Alexander Hannay.

1781, before me,

E. Impey.

“ Num. 9. C.

“ Affidavit of Major M'Donald.

“ John M'Donald, Esq; Major commanding the Nabob Assoff-ud-Dowlah's Third Battalion of Sepoys, on Oath saith, That he the Deponent was stationed at Amora, to assist the Aumil in collecting the Company's Tunka, also to protect the Subjects of his Excellency the Vizeer from the Depredations of Zalim Sing, the Rebel Rajah of the aforementioned Place Amora, also the Attacks of others his Adherents: That the said Deponent had been detached by Lieutenant Colonel Hannay,

Hannay, some Time in February 1780, with a Body of Horse and Foot, in Pursuit of the above-mentioned Rajah Zalim Sing, who, besides sequestering the Rents of the Pergunnah, had compelled the Inhabitants to quit the District; and further, wantonly, and without Cause, murdered Two of the principal Cannoongoes of the Pergunnah aforesaid. The Deponent could not come up with the flying Rajah, but followed him until he took to a large Jungle, that bounded the Country of the Vizeer to the Eastward, and is the Westernmost Limit of the Zemeedary of Cheit Sing, Rajah of Banaris. Zalim Sing was there received in the most friendly Manner, and Protection promised him. On this, the Deponent sent proper Spies to watch the Motions of Rajah Zalim Sing, and returned himself with the Troops to his Station at Amora: That the Deponent learned by the Spies left about Zalim Sing, that he was allowed to reside openly under the Protection of Cheit Sing, and had Villages, also Lands, assigned for the Maintenance of himself and Followers.

" About the Twentieth of August last, the Deponent was informed, Cheit Sing had, after putting to Death Three English Officers and Two hundred and Fifty Sepoys, fled from Banaris, and openly set up the Standard of Rebellion, inviting all Persons, who could procure Arms, to repair to him, and by fighting under his Banner extirpate the Fringies. The Road by which the Post usually travelled from Banaris, became impassable from the numerous Parties, it was said, Cheit Sing had sent out, to cut off all Communication betwixt the Honourable Governor General and the different Stations of the Army. As the Deponent could not obtain any authentic Account of the State of Affairs, he thought it best to send out Persons to all Parts for Information, that he might judge from the State of the Country how Matters stood at the Place of the greatest Moment. The Country of the daring Rebel Cheit Sing, and the City of Fyzabad, seemed to the Deponent the most likely Places to furnish the wished Intelligence. In the latter Place it was reported, first, that the Honourable Warren Hastings Esq; had been massacred at Banaris; then, that he had been cut off on his Way to Chunar; at last it was said the Honourable Governor General was in Chunar, but must soon fall into the Hands of the Banaris Rebel, as no Relief could possibly reach the Place in Time to save it; and that shortly the Destruction of every Englishman in these Parts would be effected. From the Banaris District the Deponent learnt, Cheit Sing had summoned the Zemeedars of his Raj to join him with all the Troops they could raise, promising present Pay to those bearing Arms, and a Remission of a Year's Rent to all who repaired to his Standard. Many Rebels who had fled the Company's and Nabob's Territories, and taken Refuge in his Zemeedary, were furnished with Money, and joined by such Zemeedars, belonging to the aforesaid Banaris rebel, as lay too far distant from the principal Scene of Action, to make a Diversion both towards the Company's Lands and those Parts of his Excellency's Dominions under the Charge of English Officers, and endeavour to cut them all off, and thereby prevent any Assistance being sent from either Gooruckpoor or Bahraich. His Excellency the Vizeer repaired to Sultanpoor about this Time, which prevented the Rebel Zalim Sing, also Perty Pall Sing, the Rebel of Busty, from quitting the Jungle; but they were busy in making the necessary Preparations, by raising of Men, with the Money said to be sent them by Cheit Sing in Fyzabad: The Khajahs * of the Vizeer's Grandmother, as well as those of the Bow Begum, were raising Men under various Pretences, and making every Preparation that might be necessary either for offensive or defensive War. During the Time the Nabob lay encamped at Sultanpoor, the Deponent's People were insulted and ill used in Fyzabad, by the Peons, Sepoys, and other Servants of Jewar Ally Khan and the Two Begums, as were all who made use of the English Name, or were supposed to have any Connection of the Kind; but on its being known there that his Excellency had moved towards Chunar, no one who was a Servant of the English could get Admittance into the City, but by Stealth, or in Disguise; even the Duack from Lucknow was not allowed to pass through as formerly, but obliged to make a large Circuit, and the Hircarrahs put on different Appearances to pass unnoticed to Amora. After the Departure of the Nabob from Sultanpoor, as before mentioned, the Rebels, who had been driven from the Province of Gooruckpoor, began moving towards the Gogra. The Zemeedars of Amora, where the Deponent then resided, also those of the adjacent Pergunnahs, held frequent Meetings, and seemed big with some great Plan. On or about the 29th of August, the Deponent received a Letter from Lieutenant Colonel Hannay, informing him, that his Excellency the Nabob had written to him (Colonel Hannay) to join him immediately with a thousand Sepoys, Four Guns, and Five hundred Horse. Four hundred Sepoys of the Deponent's Battalion were ordered for this Service; also his Battalion Guns, and a hundred Horse that belonged to the Amora Station, were withdrawn, to make up the Number required by his Excellency. No sooner was this made public, than the Zemeedars absented themselves; and the Deponent learnt from all Parts of the Country, that every Man was getting ready his Arms, and that Cheit Sing's Name was in every Body's Mouth; that every Rajah in the Country had declared for him: That the Deponent endeavoured to get some Nujeebs to supply the Place of the Troops called away; but all in vain; every Attempt was rendered abortive by the Machinations of the Khajahs belonging to the Two Begums at Fyzabad; and every Soul in that City seemed, from their Conduct and Conversation, to look upon the English as on the very Eve of Extermi-

* Eunuchs.

nation, forbidding any one to serve the Fringies, but to repair to Cheit Sing and Saadut Ally—Nay, every Method and Way were tried to seduce the Sepoys from the Deponent's Battalion, which, however, did not succeed while remaining under his Eye, but had the desired Effect upon the Nujjeeb and Sebundy. After the Sepoys, Guns, and Horse had crossed the Gogra, there was an End to all Government in that Part of the Country where the Deponent resided. Not an Article of any Kind was to be had; and but for the Deponent's having foreseen the Situation he should be in, and provided accordingly, he would have been under the Necessity of leaving his Station, from the Want of Provisions. Thus surrounded on all Sides by lurking Enemies (for there was no knowing who to treat otherwise), the Deponent knew not when or from what Quarter the Blow was to be struck; but on the 8th of September it broke out in all Parts. All Out Posts were driven into Camp; the Roads in an Instant secured by armed Parties; Hircarrahs murdered, Sepoys attacked, and the intended Destruction of every Englishman openly declared, not only throughout the Pergunnah, Towns, and Villages, but even in the City of Fyzabad. To such Lengths was it carried by the People of Jewar Ally Khan, and other Khajahs belonging to the Begums, that the Women of the Deponent's Camp, that were sent across the Gogra to be out of the Way of Danger, being obnoxious from the Connection, were refused that Protection which the Sex in every Country meets with, but particularly in Hindostan claims as a Right. From the above Date, the Deponent was confined to the Limits of his Camp, nor had he any Road open but that to Rye Ghaut, opposite Owd, at which Place Lieutenant Colonel Hannay then lay with a very small Force; while the Country around him, also the City of Fyzabad, seemed ready to commence Hostilities. On the 10th of September, Rajah Zalim Sing, accompanied by other rebellious Rajahs, appeared with a numerous Force on the Banks of the Gogra opposite to Amora. The Deponent's Spies brought him Intelligence from the Rebel's Camp, that his, the Deponent's Property, likewise that of all his Camp, was already divided; that the Deponent's Horses, Camels, &c. Things worth Notice, the Rajah Zalim Sing reserved to himself; the rest was to be given up to those who could get it. Moreover the Deponent saith, his People informed him that Rajah Zalim Sing had produced a Paper, which he, the Rajah, said was a Sunnud from the Nabob, restoring him to his Zemedyary, appointing him Collector of the adjacent Pergunnahs, Busty and Naggar, also that he had the Nabob's Directions to drive the Fringies out of his Districts; that he only waited for the Site* (Boats being already provided, from Fyzabad, which the Deponent knew absolutely to be the Case) to cross the Gogra, and carry the Nabob's Orders into Execution. Further, that his Excellency had altered his Sentiments regarding the Part he was to take in the present Contest; that his Excellency set out with the Intent of adhering to his Treaty with the Company, but that Mirza Saadut Ally wrote him he was to blame if he gave any Assistance; that now was the Time to shake off the English Yoke; that it might not be prudent to declare himself at once; that he had only to stand neuter, and, under Pretence of defending themselves, direct his Subjects to take Arms, and endeavour to prevent the Junction of the English Forces, when the Matter would work of itself: Further, to direct the Aumils to send no more Supplies of Money, which would cause the Sepoys to leave the English Service for want of Pay, while themselves would have Plenty of Money. In the City of Fyzabad the same Language prevailed as to the Money Part, and Stoppage of the Tunka, until the Nabob Saadut Ally Khan thought proper to issue the Grants. During the Night of the 10th of September Rajah Zalim Sing crossed the Gogra, and advanced within Four Coss of the Deponent's Camp; on the Evening of the 11th the aforesaid Rajah pushed Three Polls to within a Mile of the Deponent's Lines, and was to have moved from his Camp with his main Body when the Moon rose. Thus situated, it was thought expedient, for the Safety of both Parties, that the Deponent should join Lieutenant Colonel Hannay while yet a Passage was open; accordingly, about Two in the Morning of the 12th of September, the Deponent quitted his Camp at Amora, and marched to Rye Ghaut. The Deponent was scarcely out of his Camp, when the Rajah's People rushed into it, seizing all they could find, and murdered some unhappy Persons who had neglected to move in Front of the Deponent's Party. The Deponent reached Rye Ghaut at Sunrise of the 12th. As soon as it was known at Fyzabad, that Zalim Sing was in Possession of Amora, the whole City was in an Uproar from Joy; and the Deponent heard the Report and saw the Smoke of Guns that were discharged at Fyzabad, he believes on the Occasion. The Deponent saith, He believed the Reports as before related at that Time, and still is of Opinion the Threats therein contained were intended to be carried into Execution had the League been successful; nor did the Deponent then (or even at this Moment) doubt but what the Begums at Fyzabad and their Khajahs were in a League with Cheit Sing, the Banars Rebel; and the Deponent is of Opinion that the whole of the Disturbances that happened in the Parts where he resided, took its rise from the Rebellion of Rajah Cheit Sing; and the Deponent is further of Opinion, that it would not have extended itself so wide in the short Time it really did, had it not been a Matter pre-concerted, and brought to light by mere Chance, ere properly ripe for Execution: And the Deponent further saith, That he is of Opinion, from the many Conversations he the Deponent has held with several Persons, Inhabitants of the Rebel Cheit Sing's Country, that the Rebellion has been meditating even some Years; that the Deponent was informed the Matter was absolutely debated in the Year 1779, and prevented only by the Voice of

a Person about the Rajah, to whose Judgment much Deference was paid by the Rajah Bulwant Sing, Father of the Rebel.

J. Macdonald

Sworn before me this 27th
Day of November 1781,
E. Impey:

“ NUM. 9. D.

“ Affidavit of Captain David Williams.

“ David Williams Esquire, Captain of the First Battalion of his Excellency the Vizier Asif-ud-Dowlah's Sepoys, on his Oath declares, to the best of his Remembrance and Belief, the following Circumstances respecting the State of the Country he was stationed in, the Reports that prevailed there, and his own Situation in it, during the Months of September and October One thousand Seven hundred and Eighty-one. Upon hearing that the Rebellion of Rajah Cheit Sing at Banaris had become of a very serious Nature, he deemed it requisite to repair immediately to his Station at Gungowah, in the District of Gooruckpoor; accordingly he left Lucknow, by Dauck, on the First of September, and reached Sakrora the same Evening; on the Second, he arrived at Amora, and on the Third at Gooruckpoor. Upon the Road between Busty and Meerungunge, a Sepoy belonging to Major McDonald's Battalion overtook him, and gave him Information that the Rebels had attacked a Post in the Jungle, which they had carried. On his Arrival at Gooruckpoor, the Jemadar who commanded in the Fort acquainted him, that the Rajahs Futteh Saw, Genoo Roy, and Ajeet Mull, had received a very considerable Sum of Money from Rajah Cheit Sing, to enable them to commence Hostilities in Gooruckpoor, and in the Company's Districts, and that they had crossed the Gogra, and also, that they had Promises of considerable Sums of Money and Supplies of Men upon commencing their Operations. The Fourth, in the Evening, he arrived at Gungowah, and had the same Reports confirmed to him by his Commandant, and most of the People of that Place. On the Fifth and Sixth, he got all Things in Readiness to proceed, agreeable to the following Orders from Colonel Hannay, to Ackberpoor.

“ To Captain Williams, commanding at Gooruckpoor.

“ Sir,

“ Having received the Vizeer's Orders to join him without Delay with the greatest Part of the Forces acting immediately under my Authority, I have to desire, that immediately on Receipt of this Letter, or as soon after as possible, you do march with the Two Grenadier Companies of your Battalion complete, and your Battalion Guns, and proceed with all possible Expedition to Ackberpoor on the Road from Fyzabad to Sultanpoor, where you will receive further Orders. You will march by the Route of Gooruckpoor, and cross the Gogra at Taundeh, where you will find three large Pattallies ready for your Passage. The Four Companies of your Battalion stationed at Busty, Dooreaparah, Dumreagunge, and Baunfy, have also received Orders to march; but as the utmost Expedition is required, they will proceed immediately under the Command of Lieutenant Gordon, and not wait your Arrival. The Four Companies of your Battalion in Gooruckpoor, and with Hurdial Sing, will remain under the Authority of Mahommed Shuffy Khan; and I have to desire you will particularly instruct the Subadars, commanding them to pay the strictest Attention to such Orders as they may receive from Mahommed Shuffy Khan during your Absence. I know not what Quantity of Ammunition the Four Companies at Busty, &c. have with them; but it will be necessary, if possible, to bring a Quantity with you sufficient to supply the whole Six Companies of your Battalion under Orders of March, with a Complement of Two hundred Rounds a Man; and inclosed you will receive a Letter from* Mahommed Shuffy Khan, desiring him to yield you every Assistance in his Power, in order to procure Carriage for the Transport of it. What else may be wanted to expedite your March, your own Prudence and Zeal will suggest, and I have only to repeat it is necessary you should make all possible Dispatch.

* Sic in Orig.

“ Alexander Hannay.”

“ On the Seventh he marched with Two Companies and Two Guns, having previously sent Orders to the scattered Detachments to repair to Gungowah, there to remain under the Directions of the Aumil, agreeable to Colonel Hannay's Orders. On the Eighth continued his March; on the Evening of the same Day certain Accounts were brought him, that the Boats on the Rivers and Nullahs were destroyed, and the whole Country to the Gogra up in Arms; and having also received Intelligence that Futteh Saw, Genoo Roy, and Ajeet Mull, with their Banditti, were encamped on the Road to Burragong, it determined him to return immediately to Gungowah, and proceed by the Way of Burragong and Chuprah to Buxar, to join Major Crawford's Regiment with the Two Companies and Two Guns; by taking which Route, he would have had an Opportunity of driving off that Party, which would have freed the Country from the principal Rebel. On the Ninth he returned to Gungowah; and, as the Commotions in the Country seemed evidently

evidently to increase, since the detached Parties who were directed to repair to Gungowah had been severally attacked on their Way, as they came in, he sent Orders to Hurdial Sing, Commandant stationed at Itchmul, to repair with all Expedition to Gungowah with Two Companies and Guns belonging to the Fougedar of that Place, and in the Evening informed the Aumil Mahommed Shuffy Khan of his Intention of proceeding by Chuprah to Banaris, and gave him Advice respecting the Defence of the Country during his Absence. The Detachment was ordered to march on the Tenth. About One o'Clock in the Morning the Jemmadar attached to the Guns came and informed him that the Companies had mutinied, and would not march without having their Arrears paid them. In the Morning he went to the Parade, and ordered the Men to fall in; they paraded with Reluctance and Difficulty, particularly the Left-hand Company, commanded by Khan Mahommed Subadar. When they were got under Arms, he acquainted them that he was concerned they were not paid so regularly as he could have wished, but if there were any of them that were distressed for Subsistence, he would advance them as much of his own Money as they required, as soon as they came to their Ground that Day; but that it was indispensably necessary that they should march with all Expedition to attack a Party of Futteh Saw, &c.'s Troops, which had taken possession of the Ghaut in the Jerry Jungle, before they should have Time to fortify themselves. They were silent; he directed them to march off. When they had gone about One hundred Yards from the Parade, One of the Men stepped out of his File, and demanded all the Arrears of Pay due to him; he immediately seized the Bayonet of the Mutineer, with an Intention of putting him to Death; when Six or Seven Men turned out, fixed their Bayonets, and made the same Demand; the Black Officers remained silent and inactive; he ordered his Commandant to march on, and ordered the Mutineers to take off their Coats, as they were not worthy of being Soldiers, and that his Moonshy would pay them their Arrears that Instant; many more joined them in a few Minutes, loaded their Pieces, laid hold of the Moonshy, and were going to put him to Death. When he found that to be the Case, and that almost the whole Two Companies were engaged in the Mutiny, he ordered the Party to return, as it was in vain to proceed. A short Time after, the whole Party surrounded him, some with loaded Arms and fixed Bayonets, having also loaded the Guns with Grape, and with one Voice demanded their Arrears might be paid off. He remonstrated, that it was impossible for him to comply with their Demands, but that all the Money he had, or could get, should be distributed amongst them, if they would obey his Orders. For about Three Hours they behaved in the most licentious Manner, and were proceeding to break open the Treasure Chest; at last, however, he prevailed upon them to receive Three Months Pay. Upon this being given them they returned to their Lines, but kept Centries at the Bungalow. After this he sent for the Two Subadars, and desired them to found the Men, and try if they could induce them, upon Promise of Forgiveness for what they had done, to return to their Duty. They came back, and reported, that they would consent to obey upon those Conditions. He went to the Parade in the Evening, and promised them Forgiveness; upon which they took an Oath to obey his Orders, upon Condition that they were not to march to Banaris; so that it became impracticable to prosecute the Intentions he had formed. However, in a few Hours more they again mutinied; and, to the best of his Recollection, they proposed to march to Banaris, and join Cheit Sing and Saadut Ally, who, as they said, would pay them their Arrears, and make them great Men; adding, that all the Europeans were cut off, and that he, meaning the Deponent, was the only Person left in the Country. In the Evening the Two Subadars Khan Mahommed and Buxtour Sing came to him, and proposed to carry him Prisoner to Banaris. On the Twelfth he represented to them, that if they did not immediately march to attack Futteh Saw, &c. who had already posted Detachments within Sight of the Cantonments, and, as he was informed, was lying near Hussianpoor with near Seven thousand Men, they would be distressed for Provision, since the whole Country was in Arms. He sent for all the Black Officers, and begged and intreated of them to use their Influence over the Men upon this Occasion; but they were deaf to all he could say. Had they complied, he was confident of Success against the Rebels, as Dadjoo Sing and Gobindram Misser had engaged to make a Diversion in his Favour upon their Rear, whilst he attacked them in Front. In the Evening they came to a Determination to march to Fyzabad to the Begum; who they also declared would pay them their Arrears, and take them into her Service; but on the Thirteenth, before they had carried these Intentions into Execution, he was joined by Hurdial Sing, with Two weak sickly Companies; and having borrowed Money sufficient to pay them the Three Months Pay which the others had received, and thereby render them upon an Equality, they remained staunch, though every possible Means had been taken by the Mutineers to corrupt them. Shortly after this he received Information, that the Fort of Gooruckpoor had been attacked by near Six thousand Rebels. There was a Jemmadar and about Fifty Men in the Fort, who behaved most gallantly. The Attack commenced near Nine o'Clock in the Evening. They carried the outward Fort, which was too extensive; and the Party were obliged to retire to the Citadel, where there were upwards of Two hundred Prisoners confined. They endeavoured to seize the Sepoys; in which Attempt Nineteen of them were put to death, and many wounded. The Attack continued till near Four o'Clock in the Afternoon; when Shawmut Khan, a Jemmadar, and Nine Men, who had been ordered to march there from Puroonah, at the Beginning of the Disturbances in the Country, arrived in the Town; the People told them to throw down their Arms, and run off to the Jungles to save their Lives; for it was impossible for them to get into the

the Fort, as it was surrounded by Six thousand Rebels, who must carry it in a few Minutes. The Jemadar, with admirable Presence of Mind, replied, That he was only the advanced Party, and that the Captain and the Guns were close after them; called out to a Man to run and bring them up, that the whole of the Rebels might be destroyed; and immediately fired upon the Rebels. The Report instantly spread; a Panic seized the whole, and they ran off in the utmost Confusion. He joined the Jemadar in the Fort with his Nine Men: They sallied out after the Rebels, and cut off about Two hundred of them. During the Attacks, the Rebels frequently called out to the Jemadar to deliver up the Place to them, as they had Perwannahs from the Begum, Cheit Sing, and Saadut Ally, for what they did.

“ Having received Orders from Lieutenant Colonel Hannay to proceed towards him, and also a Letter from Lieutenant Gordon, acquainting him that it was Colonel Hannay's Will he should join him at Amora, informing him of the Loss of Two Companies of his Battalion which were with Lieutenant Gordon; on the Fifteenth he marched from Gongowah with the Aumil and Fougedars of the Country, and all the Stores of his Battalion. The March proved exceedingly fatiguing, on account of the Country's being under Water, and most of the Nullahs unfordable, and no proper Boats upon them for crossing. On the Twentieth arrived at Gooruckpoor, where he found Two Companies belonging to his Battalion, which were directed to join Lieutenant Gordon, but not being able to effect it, they had been under the Necessity of returning to Gooruckpoor, also a Company of Major M'Donald's Battalion, which had been obliged to retire from Busly. On the Nineteenth received a Letter from Lieutenant Colonel Hannay, which determined him to remain at Gooruckpoor till he received further Orders, and wrote a Letter in Answer, proposing to march by the Route of Mugger and Busly, to chastise Zalim Sing at Amora, and Lieutenant Colonel Hannay should advance by the Route of Mahadea to Amora, which he thought would be the most practicable Means of quieting the Rebellion in the Country. He was under a Necessity of borrowing Money to pay his Companies at Gooruckpoor, and also Major M'Donald's Company, and to make up the Ammunition that was damaged by the Weather, and repair the Tumbrils and Limbers: His Battalion being ill furnished with Arms and Ammunition, and the Draft Cattle very bad, which retarded him much during his March to Gooruckpoor. The Thirteenth received a Letter from Lieutenant Colonel Hannay, and wrote for Answer, that he would march for certain on the Second of October; but the Difficulty he found in procuring a sufficient Quantity of Provision, and Carriage for it, as the whole Country was hostile, and Bodies of armed Men, to the Amount of several Thousands, were actually in the Town; added to the heavy Rain which fell on the Fourth and Fifth, rendered it impracticable for him to march till the Sixth. During the Time he remained at Gooruckpoor, it was currently reported and given out by the rebellious Rajahs, that they acted in conformity to the Orders they had received from Cheit Sing, Saadut Ally, and the Begums, to raise an Insurrection in the Country, and to destroy the English wherever they found them. Many Letters were Intercepted, but the necessary Care was not taken of them, and they were either destroyed or lost. Having the Raubty and several Nullahs to cross, he did not reach Baunsi till the Ninth, which is distant about Two-and-twenty computed Cos. On the Ninth in the Evening a violent Storm of Rain began, which lasted to the Sixteenth, with scarcely an Hour's Intermision, which rendered it totally impracticable to march during that Time, as the whole Country was oversown, and the Rivers quite full. The March from Sakrora was extremely tedious and difficult, great Delays being occasioned by the Necessity he was under of making Bridges, added to the Interruptions he suffered from the frequent Skirmishes he had with the People of the different Districts he passed through. On the 23d he arrived at Goondah, and on the Day following joined Colonel Hannay at Sakrora, with Eight Companies of his own Battalion, and a Company of Major M'Donald's Battalion. The Aumils and Fougedars of Gooruckpoor came under his Protection, and a Number of People in Office in the Collections; the Gun belonging to the Fougedary he brought with him, being the only one in the District he commanded. During his March from Gooruckpoor to Sakrora, the Rebels who harassed gave out, that every Measure they took was in compliance with the Directions they received from the Begum, Saadut Ally, and Cheit Sing. Since the Time of his being appointed to the Command of the Battalion, in January One thousand Seven hundred and Eighty-one, he has only received Two Months Pay, on its Account, from his Excellency the Vizeer, to the present Time, November the Twenty-seventh: His Battalion was dispersed in such a Manner, and at so great a Distance, that he hardly ever had above Two Companies with him, till they joined him by Degrees. During the Rebellion, he continually advised Colonel Hannay of his Situation, but it appears few of his Letters reached him, as the Communication was shut up.

“ Sworn this 27th Day of November
1781, before me,
E. Impey.

D. Williams,
Captain, commanding the 1st Battalion of
his Excellency the Vizeer's Sepoys.

“ Num. 9. E.

“ Affidavit of Captain John Gordon.

“ John Gordon Esquire, Captain in the Corps of Sepoys of his Excellency Assof-ud-Dowlah, Nabob Vizeer, on his Oath saith, That he crossed the Gogra on the Sixth of September at Chowrah, with Four Companies of Sepoys, and about Eighty Horse (in all near 400) under his Command; that he saw the Country was disaffected, but judged his Force to be sufficient to join Colonel Hannay at Akberpoor; indeed the Deponent did not conceive that his Excellency's Troops, marching to join him by his Command, could meet with any Interruption. On the 7th, at Day break, the Deponent marched, and about Half a Mile from Chowrah, when crossing a Nullah, he observed great Bodies of Men assembled to oppose his March; he immediately made what he judged to be the best Disposition of his small Corps, and the Behaviour of the Men did them great Credit; for though, during the whole of the March of Eight Cos, they were attacked and often surrounded by incredible Numbers of People, yet they constantly beat them off, killing and wounding many of them, and arrived, with very little Loss, about One o'Clock in the Afternoon, at the Tereca Nullah, which runs by Taundeh, bringing the whole of the Bazar and Baggage in the most perfect Safety; the Deponent then imagined himself in a Friend's Country, and intended crossing the Nullah, that his People might halt for the Day and refresh after their very fatiguing March; for this Purpose he ordered the Bazar and Baggage to be sent over, and Part of the Sepoys to stand to their Arms, as great Numbers of their Enemies were still in Sight; but his Surprise was extreme when he was informed, that the Boats were all on the other Side of the Nullah, and that none of them were permitted to cross. The Deponent immediately wrote a Letter to the Begum's Aumil, Shumsheer Khan, acquainting him that he was marching with the Vizeer's Troops, by his Order, to join him; that he, the Deponent, was astonished at his stopping the Ghaut; and desiring Boats might be sent for the Transport of the Detachment. To this no Answer was made, but immediately Three Guns were brought near the Ghaut, and pointed to the Detachment, and a Number of Matchlock Men were posted on the Banks of the Nullah, who threatened to fire if anybody passed. There were then near the Ghaut a great many large Boats belonging to Mr. Scott, whose Gomastah, notwithstanding his utmost Intreaties, was prevented from sending them by Shumsheer Khan; who threatened the Plunder of his Factory, and even his Life, if he attempted it. This was told the Deponent by the said Gomastah repeatedly, and the Deponent believes it to be true, as it corresponds entirely with every other Part of Shumsheer Khan's Conduct. The Deponent, upon being refused a Passage, took possession of a very strong Ground, surrounded on Three Sides by the Gogra, and the Nullah on the Fourth Side, whence only he could be attacked by the Country People; he ordered the Sepoys to make a Breast Work, by piling up of Planks, of which there were a great Number; and as he had Ammunition and Provisions, he intended to wait there until he could procure Boats, or discover a Ford. While the Deponent was thus employed, Mahomed Ruzza Beg, the Jemadar of Horse, had swam across the Nullah, and procured Permission for his People to follow him, which they immediately did. No Answer coming from the Fougedar, the Deponent desired his Moonshy to go to him, and explain the Matter; he accordingly went to the Ghaut, and demanding a Passage, he was refused, and insulted in Terms the most abusive to the English. He returned, and telling this, the Deponent ordered him to take an Elephant and swim over; but when he attempted to enter the Nullah with the Animal, the Nujeebs pointed their Matchlocks at him, and obliged him to desist: The Sepoys seeing this, and that the Horsemen were permitted to swim across, naturally imagined that the Objection was to the English only, and their Adjuvants; they thought it safest to abandon the Deponent, whom they must have concluded to be devoted, and throwing down their Coats and Arms, they followed the Example of the Horsemen, in swimming across the Nullah, making a Merit with Shumsheer Khan, of giving the Deponent up to his Fate. One of the Subadars represented to Two others, the Folly of suffering for One Person; and proposed to them to deliver up the Deponent to Shumsheer Khan or to the Country People; but the Proposal was rejected with Scorn, and One of the Subadars reported the Behaviour of the other immediately to the Deponent: The Desertion, however, was almost complete; for in a little Time, of the Four Companies, not Twenty Men remained, including Officers. It was almost Evening when Mr. Scott's Gomastah, with great Difficulty, at last obtained Permission from Shumsheer Khan to send One Boat, but it came too late to render any effectual Assistance, for with the few Sepoys who remained, Command was at an end; and as most of the Deponent's Servants had gone off, his Baggage was left a Prey to the Banditti, who soon carried off and destroyed it. Some Things which a few of his Servants brought with them, they gave in charge to the Fougedar's People, who promised to take care of them, but they reserved them for themselves, or rather for the Fougedar; and though many of the Deponent's Things were seen in his House, he could never recover a single Article. For many Days during the Stay of the Deponent in Mr. Scott's Factory it was threatened to be attacked; and Shumsheer Khan, though often applied to by Mr. Scott's Gomastah, constantly refused to grant the least Assistance: Notwithstanding this, Shumsheer Khan was, and the Deponent believes is still, continued in Office; and while the Deponent was at Fyzabad, Shumsheer Khan came there, and was well received by the Begum and her Ministers: From all which Circumstances the Deponent is convinced, that Shumsheer Khan could not have dared to act as he did, had he not been authorized

rized by the Begum and her Ministers, or at least had he not known that such Conduct would be agreeable to them.

" Sworn this 27th Day of November
1781, before me,
E. Impey.

J. Gordon.

" TENTH PARCEL.

" NUM. 10.

" Affidavit of Jean Honore Mordelait, Private of the Company of Chasseurs.

" Jean Honore Mordelait, Natif de Corbell, Province de l'Isle de France, fait Serment, et dit, Qu'étant malade à Mirzapour il fût laissé en arrière avec Quatorze des ses Camarades, lui inclus, tous servant dans la Compagnie de Chasseurs, commandée par le Capitaine Doxat; lorsque le dit Capitaine marcha avec les Troupes qui composoient le Détachement commandé par le Capitaine Mayaffre; que lors du Départ du dit Capitaine, le Raja de l'Endroit les fit entrer en son Entourage pour plus de Sureté contre les Voleurs qui l'environnoient; que sur leurs Représentations qu'ils n'avoient pas d'Argent pour se fournir des Vivres, il leur fit donner à manger chaque Jour par un Banniâ, qu'il les consola et les assura qu'allant voir ce qui se passoit à l'Entour de son terrain il chercheroit après un Moyen de les faire passer à Chandernagore; que des lors il ne revint point: Que le Commandement étant alors dévolu au Second, il les fit appeler le Trentième, et leur donna Deux Roupies à chacun pour servir à une Route qu'ils devoient faire de Deux Jour de Chemin; qu'il leur fit sçavoir que c'étoit ses Ordres de les renvoyer de là, et qu'il avoit aussi reçu Ordre de couler tous les Batteaux passant par Mirzapour: Que pendant ce Temps Cinquante de ses Gens furent envoyés pour s'emparer de leurs Armes, et que ces Gens prirent un Inventaire de ce qui appartenoit à la Compagnie; que le Lendemain ils furent contrainés de se mettre en Route, leur Sacs placés sur des Chameaux, sur lesquelles ils furent obligés de monter à grands Coups de Fouët pour ceux qui refusoient: Que durant leur Route ils eurent toutes Sortes d'Indignités, qu'on leur crachoit au Visage, qu'on les battoit. Que la seconde Journée un de ses Camarades fût allé heureux de mourir; que le Chemin qu'ils faisoient étoit parmi des Gorges de Montaignes, et qu'avec les Détours qu'ils firent il croit que le Trajet jusqu'à Laitiffghur, ou ils arrivèrent le Deuxième de Septembre, étoit plus de 40 Cofs: Qu'à la Fin de la première Journée ils s'arrêtèrent à un petit Fort dans les Gorges, ou leur mauvais Traitement fût redoublé. Qu'arrivé à Laitiffghur ceux qui vinrent avec eux se dispersèrent; qu'ils furent entourés pendans deux Heures qu'ils y restèrent par environ deux ou trois mille Gens qui les insultèrent grossièrement, et particulièrement, les accusa d'avoir assassiné le Raja de Guàlier: Qu'un de leur Camarades, nommé François, fût mené auprès du Raja lequel à son Retour leur declara que le Raja l'avoit assuré qu'en cas qu'il lui amena Compagnie François qu'il auroit son Pain. Qu'après ils furent conduits hors de Laitiffghur de la même Manière qu'auparavant sous le Garde de quelques Sepoys, et autres Gens armés, à une petite Maison fortifiée au de là de Laitiffghur une Cols sur le Chemin de Bejahghur; que ces Gens y restèrent pour les garder: Qu'on ne leur donna ni à manger ni à boire: Que le Lendemain, étant le troisième, un Chef de Laitiffghur avec dix Sepoys et environ 40 Hommes armés les fit sortir à une Portée de Fusil de la Maison: Qu'ils lièrent leurs Mains derrière leurs Dos; et qu'en cette Position ils leur crièrent à manger, leur montrant des Vivres à quelque Distance dans des Corbeilles. Qu'après s'être amusé pendant une Heure ou deux de leur Misères, ces Barbares tirèrent leurs Sabres et commencèrent le Massacre: Que le fusil eût une Baonette passée du travers du Corps, et un grand Coup de Pied sur les Reins pour la faire ressortir: Qu'en cet Etat il feignit le Mort, et deux de ses Camarades tombant sur lui cachèrent sa Feinte: Que le Meurtiers se retirant après ce Carnage, il eût assez de Force pour se retirer dans les Jungles à vingt Pas de là: Qu'à la Discretion des Tigres il passa toute la Nuit; qu'accablé de soif, le Lendemain il descendit à un Ruissieu pour boire de l'Eau; qu'il fût vit par des Campagnards, et amené à l'Endroit d'ou il étoit sorti le Jour avant; que les Habitants le rassurèrent contre toute Crainte de sa Vie: Que leur Chef lui donna pour lui et la Femme huit Pice par Jour, laquelle Subsistance lui fût continué par moyen d'une Garde qui montoit et étoit relevé chaque Jour de Laitiffghur: Que parmi les Gens qui étoient là il ne reconnût aucun de ceux qui les tuèrent: Que le 20, le Jour que le Raja s'enfuit de Laitiffghur, après que lui et ses Troupes eurent passées auprès de l'Endroit ou le fusil étoit, il se rendit à Laitiffghur sans Empêchement, et même fut mis au large par les Habitants: Que la Nuit du 20 ou 21 il fût obligé de se cacher, pour se mettre à l'abri des Gens qui palloient de tous Côtés: Que le Lendemain Matin à l'Entrée du Major Crabb il fût découvert et heureusement mis en Sureté de toute autre Pour suite.

" Le fusil fait Serment et dit, de plus qu'il croit que le Massacre provenoit d'un Acte délibéré, et que ce ne pouvoit être le Résultat d'aucune Cause, comme ces Camarades et lui étoient trop tristes pour démontrer aucun Signe de Joie, s'abandonnant à la Mort d'après la mauvais Traitement qu'ils avoient subits: Qu'au contraire quant ils enquirent le Matin du Jour du Massacre, le Bruit des Canons et des Fusils, ils s'entredisoient tout doucement que leur Destruction seroit la Conséquence infaillible en cas que les Troupes du Raja perdroyent la Bataille: Que

Que même, lors de cette Communication d'Idées, ils n'y avoient aucuns de leurs Gardes ou autres Gens pour les écouter; que leurs Expressions à ce Sujet se passèrent, lors du Bruit des Canons et des Fusils, lequel étoit de grand Matin: Que leurs Meurtriers n'arrivèrent de Laitiffghur qu'environ les onze Heures: Que deux Heures se passèrent à leur contraindre de tirer Habits, Chapeaux, &c. Qu'au lieu du Meurtre ils furent conduits en Chemise, et qu'il étoit environ une Heure après Midi, quand cet Acte de Barbarie fut commise.

Mordelait.

" Sworn before me, this 5th Day of
December 1781.

E. Impey.

" Translation of the foregoing Affidavit.

" John Honore Mordelait, Native of Corbell, a Province in the Isle of France, declares upon Oath, That being sick at Mirzapoor, he was left behind with Fourteen of his Comrades, himself included, all of whom belonged to the Company of Chasseurs commanded by Captain Doxar, when the said Captain marched with the Troops which composed the Detachment commanded by Captain Mayaffie: That upon his Departure, the Rajah of the Place made them come within his own Premises, for the greater Safety against the Thieves which surrounded them: That on their representing they had no Money to supply themselves with Food, he caused them to be given something to eat every Day by a Banian: That he comforted them, and assured them, that upon seeing what passed round his Seraglio, he sought for Means to transport them to Chandernagore: That from that Time he did not return: That the Command having then devolved upon the Second, he had them called before him on the Thirtieth, and gave them Two Rupees each, to serve for the Journey of Two Days they were to take: That he let them know his Orders were to send them from thence; and that he had also received Orders to sink all the Boats passing by Mirzapoor: That during this Time, Fifty of his People were sent to seize their Arms; and that those People took an Inventory of what belonged to the Company: That the next Day they were obliged to begin their Journey, with their Baggage placed on Camels, which they were obliged to mount; and those who refused, received violent Blows with a Whip: That during their Route every Sort of Indignity was offered to them: That they spit in their Faces; and beat them so, that on the second Day One of his Companions was so happy as to die: That the Road they took was through narrow Passes, between Mountains; and that with the Circuits they made, he believes the Journey to Laitiffghur, where they arrived the 2d of September, was more than 40 Cofs: That at the Close of the first Day they stopt at a small Fort in the Passes, where their Ill-treatment was redoubled: That being arrived at Laitiffghur, the Persons who came with them dispersed: That they were surrounded for Two Hours, and remained there, among about Two or Three thousand People, who insulted them grossly; and particularly accused them of having assassinated the Rajah of Gwallior: That One of their Companions, named Francois, was taken before the Rajah, and declared to them, at his Return, that the Rajah had assured him that in case he brought the French Company to him, he should be provided for: That afterwards they were conducted out of Laitiffghur in the same Manner as before, guarded by some Sepoys and other armed Men, to a small fortified House beyond Laitiffghur, One Cofs on the Road from Beejahghur: That those People remained there to guard them: That they had nothing either to eat or drink given to them: That the next Day, being the Third, a Chief of Laitiffghur, with Ten Sepoys, and about Forty armed Men, made them go out to the Distance of a Musket Shot from the House: That they tied their Hands behind their Backs; and that in this Position they told them to eat; shewing them Provisions in Baskets at some Distance: That after having amused themselves for an Hour or two with their Misery, these Barbarians drew their Sabres and began the Massacre: That the Deponent had a Bayonet passed through his Body, and a violent Kick on the Reins to make it come out: That in this Situation he feigned Death; and Two of his Companions falling upon him covered the Deceit: That the Murderers retiring after this Carnage, he had Strength enough to retreat to the Jungles, Twenty Paces from the Place: That he passed the Night at the Mercy of the Tigers: That on the next Day being parched with Thirst, he went down to a Brook to drink: That he was seen by some Country People, and carried to the Place which he had left the preceding Day: That the Inhabitants assured him his Life was in no Danger: That their Chief gave him Eight Pice every Day for his Wife and himself, which Subsistence was continued to him by means of a Guard, which was mounted and relieved every Day from Laitiffghur: That he did not recollect the Persons of any of the Murderers among the People here: That on the 20th, the Day the Rajah fled from Laitiffghur after he and his Troops had passed near the Spot where the Deponent was, he went to Laitiffghur unmolested, and was even set at Liberty by the Inhabitants: That in the Night from the 20th to the 21st he was obliged to lie concealed to save himself from the People, who were pillaging on all Sides: That the next Morning, at the Entry of Major Crabb, he was discovered, and fortunately placed in Safety from all further Pursuit. The Deponent moreover declares upon Oath, That he believes the Massacre proceeded from a deliberate Act, and that it could not have been occasioned by any Cause, his Companions and himself being too sorrowful to shew any Sign of Joy, as they had

had abandoned themselves to Death after the Ill-treatment they had met with; That on the contrary, when on the Morning of the Massacre they heard the Report of the Cannons and Muskets, they said to each other softly, that their Destruction would be the infallible Consequence, in case the Rajah's Troops should lose the Battle: That even at this Communication of Ideas there were none of their Guards nor any other Persons present to hear them: That their Conversation on this Subject passed when the Noise of the Cannons and Muskets was heard, when it was broad Day-light: That their Murderers did not arrive from Laitiffghur till about Eleven o'Clock: That Two Hours passed in making them take off their Cloaths, Hats, &c.: That they were led in their Shirts to the Place where the Murders were committed; and that it was about One o'Clock in the Afternoon when this Act of Barbarity took Place.

" Sworn before me,
this 5th Day of December 1781.

(Signed) Mordelait."

(Signed) E. Impey."

" ELEVENTH PARCEL.

" NUM. 11.

" Affidavit of Lieutenant Colonel Hannay.

" Alexander Hannay Esquire, Lieutenant Colonel in the Service of the Honourable United East India Company, maketh Oath, and saith, That in the Month of September last (1781) he commanded a Body of Troops (Horse and Foot) in the Service of the Nabob Vizeer: That on the 10th of that Month, being encamped at Ryegunge, near Fyzabad, employed in transporting the said Troops across the River Gogra, in order to act against the Insurgents to the Northward of that River, in the Evening he received Intimation from a Person living in the Zennana, that the Nabob Begum (Grandmother to the Nabob Vizeer Affuf-ud-Dowla) had, through her Agents, prevailed upon the principal Jemmadar of Horse, to engage to detach himself from the said Deponent, and to abandon him; and further warning the said Deponent to attend to his own personal Safety, as there was an Intention of detaining him at Fyzabad: That this Intimation was given to the Deponent in the Presence of Lieutenant Charles Middleton, to whom the Deponent did communicate it; and that, during the whole Course of that Day (the 10th of September) he the Deponent had not been able to prevail on any of the Horsemen to cross the River—a Matter which he could not until then account for, but which served to impress him so strongly with the Belief of the Truth of the Information he had received, that he sent for the principal Jemmadar of Horse, circumstantially communicated the said Information to him, and, as forcibly as he was able, stated to him the Treachery, Disgrace, and Infamy, inseparable from so unmanly a Behaviour: That the said Jemmadar of Horse appeared much affected at the Conversation, and acknowledged that the Information was true in every Circumstance, except that of his having acceded to the Proposals that were made to him, which he declared he had rejected; but said, they had also been made to the other Jemmadars of Horse by the Agents of both the Begums (the Nabob Vizeer's Mother and Grandmother); and the Truth of this Assertion was afterwards affirmed to the said Deponent by Two of the said Jemmadars, and several of the inferior Officers and private Horsemen. The Deponent further declareth, That the above-recited Conversation passed in his the Deponent's Tent, to the best of his Recollection and Memory, on the Night of the 10th of September, in the Presence of Lieutenant Charles Middleton; and that, as the said Lieutenant Charles Middleton did not perfectly understand the Moorish Language, in which the Conversation was held, he the Deponent explained the Nature and Subject of it to him as soon as the Jemmadar left the Tent. The Deponent further declareth, That he is restrained from mentioning the Names of the Jemmadars alluded to, from an Apprehension that their Names becoming publick, might operate to their Prejudice, if not Ruin; but that the Facts which he hath deposed are Truth.

" Sworn before me (the Deponent declaring on his Oath, that the above Affidavit is written in his own Hand-writing at Banaris)
this 31st Day of December 1781.

Alexander Hannay."

Warren Hastings."] *

* Vide supra, from Page 255 to Page 267.

The Witnesses produced a Book, marked C, intituled, "Letters from the Board, 1775 to 1782."

Read, the following Letter from the Governor General to Mr. Middleton, dated Chunar, 15th November 1781, from the same.

" To Nathaniel Middleton Esquire.

" Sir,

" In your Letter, dated the 17th October, I find it generally asserted by Lieutenant Colonel Hannay, in the Extracts quoted from his Letters, and confirmed by yourself, that, during the late Revolt of this Province, Levies both of Horse and Foot were openly made at Fyzabad, both by the Begums, and by Cheit Sing's Agents, in his Name and for his Use; that these Levies were dispatched to Benares publickly as his, one Party of a Thousand Horse and Foot, under the Command of Shake Cawn; that Jewar Ally Cawn, in the Chowk of Fyzabad, asked every Man who bore the Appearance of a Soldier, why he went not to Cheit Sing for Service; that Futteh Saw, Gheenouroy, and Ajeet Mull, had crossed to Manjowly, urged to that Step by Cheit Sing, who had supplied them with Money, and promised them great Sums, if they would put the whole Country into Confusion; that the principal Zemindars had all Certificates under the Seal of Cheit Sing, that he would supply them with whatever Money they might require, for subsisting all the Troops they could raise; that it was the general Belief of every Man* in that Part of the Country, that it was a concerted Plan for the Extirpation of the English; that the whole Country, from Goonda to Manjee, and from Fyzabad to the Benares District, and across from the Gogra to the Ganges, was in the utmost Ferment; that if we met with a Check at Benares, every Man in the Country was ready to fall upon our scattered Parties; that the Insurrection was not partial, but generally spread throughout the Whole, and if he (Colonel Hannay) might trust to his Information, it was already begun, and would soon rage as violently in Shahjehanpore, Rohilcund, Cora, and the Doaub.

* Sic in Orig.

" These are Facts of such Moment to the publick Service, and so necessary both to the Means which may be required for our future Preservation, and to the Justification of what has passed, and of what may be done to the same End, that I think it proper that they should be verified in the most authentick and sacred Manner. I must therefore request and require of you, in my Name, to call upon Lieutenant Colonel Hannay, Major M^r Donald, Captain Williams, and Lieutenant Gordon, and every other Person who may have a personal Knowledge or Understanding of these Facts, or of any others relating to the Rebellion of Cheit Sing, and its Connections, in the Dominions of the Nabob Vizier; severally to depose all that they know and believe concerning the same, either on Oath before Sir Elijah Impey, who will instantly visit Lucknow, chiefly with this Intention; or that they repair to me at this Place, for the same Purpose.

" Respecting the Levies made at Fyzabad, the March of Shake Cawn with a Force declared for the Service of Cheit Sing, the publick Invitations of Jewar Ally Cawn, the Certificates under the Seal of Cheit Sing, in the Possession of the Zemindars of Gorookpore and Baraich, his Letters to the Begums or their Ministers, the Plan concerted for the Extirpation of the English; I must earnestly recommend it to you, to obtain such Evidence as can be acquired, respecting each of these Points, whether such Evidence shall ascertain, or refute, or qualify, their Reality; and, if it be possible, to gain Possession of the original Letters and Certificates said to have been written by Cheit Sing, as above said.

" You will be careful to ascertain the Dates and Places of Facts, and the Names of Places and Persons, in the Depositions taken; that their Evidence may not be defective or ambiguous, from the Want of Precision.

" Respecting the Murders, said to have been committed at Gopee Gunge, I have already written to you, and now send you a Duplicate of my Letter on that Subject.

" I also send you the Form of a Caption, or Introduction to each Deposition, of which you will be pleased to furnish Copies, to such of the English Gentlemen as shall have Occasion for the Use of them. The Depositions of the native Witnesses must be written in the Languages which they understand, and must be verified on Oath, and signed; or, if they shall object to the Oath as contrary to their religious Tenets, they must be required to subscribe such a solemn Attestation, as shall be equivalent to the Sanction of an Oath; and add your Signature to it.

" I am, Sir,

" Chunar,
15th November 1781.

Your most obedient Servant,
(Signed) Warren Hastings."

The Managers for the Commons acquainted the House, they would next read a Passage from the Benares Narrative, to shew that, by Mr. Hastings's own Admission, if any Assistance was sent from Oude to Cheit Sing, it most probably came from the Vizier at Lucknow, and not from the Begums at Fyzabad; and they should afterwards shew, that the Thousand Troops, stated by Mr. Hastings to have been raised at Fyzabad, came from Lucknow.

Read, the following Extract from the Benares Narrative, beginning at Page 36 of the same.

“ In the mean Time I had received several Intimations, imputing evil Designs to the Nabob, and warning me to guard myself against them; and especially to be careful that I did not expose myself to the Effects of concealed Treachery, by visiting him without a strong Guard. Many Circumstances favoured this Suspicion. No sooner had the Rebellion of this Zemedyary manifested itself, than its Contagion instantly flew to Fyzabad, and the extensive Territory lying on the North of the River Dewa, and known by the Names of Gooruckpoor and Bareech. In the City of Fyzabad, Nawaub Allea and Jenauby Allea, the Mother and Grandmother of the Nabob, openly espoused the Party of Cheit Sing, encouraging and inviting People to enlist for his Service; and their Servants took up Arms against the English. Two Battalions of regular Sepoys, in the Vizier's Service, under the Command of Lieutenant Colonel Hannay, who had been intrusted with the Charge of that District, were attacked and surrounded in various Places, many of them cut to Pieces; and Colonel Hannay himself, encompassed by Multitudes, narrowly escaped the same Fate. The Nabob Vizier was charged with being privy to the Intrigues which had produced and fomented these Disturbances; and the little Account that he seemed to make of them, served to countenance the Suspicion. I can truly say for myself, that I never afforded it the slightest Degree of Credit; neither his Character, the Tenour of his past Conduct, the Expectations which I knew he entertained of Assistance and Relief from myself, nor his Inability to support himself without the Protection of our Government, allowing me, for a Moment, to entertain a Thought so injurious to his Fidelity, and so contrary to Probability. Yet I was not perfectly free from Apprehensions similar to such a Suggestion. The Nabob was surrounded by Men, base in their Characters and improvident in their Understandings; his Favourites, and the Companions of his looser Hours. These had every Cause to dread the Effects of my Influence on theirs; and both these, and the Relations of the Family, whose Views of Consequence and Power were intercepted by our Participation in the Administration of his Affairs, entertained a mortal Hatred to our Nation, and openly avowed it. These all joined in prescribing the most pernicious and fatal Counsels to the Nabob, representing this as the Time to deliver himself from what they described as the Yoke of Servitude. Although he firmly rejected all their Persuasions, and I was assured of it, yet he himself was at their Mercy; and it was in their Power to use both his Authority and his Person for the Perpetration of their own Designs; nor could I use any Precaution to avoid them, which would not appear to proceed from a Distrust of the Nabob himself. I never communicated my Apprehensions, nor acted from them, and had the Satisfaction of receiving the Nabob, of maintaining an Intercourse with him, with every Mark of the most secure and mutual Confidence, and of parting with him with every Demonstration of mutual Satisfaction (a).”

Read, also, the following Extract from the same Book, beginning at Page 32.

“ It is proper to mention, that as soon as I had formed my Resolution to leave Banaris, I sent my Moonshy to the Nabob Saadut Ally Khan, to inform him of it, and to recommend the wounded Sepoys to his Care; believing that the Rajah, from a Consideration of Policy, would not chuse to molest them, especially as he could have no Motive or Object to it but Revenge, if he would shew a determined Resolution to protect them. The same Request I made to him in Writing after my Arrival at Chunar. I owe him the Justice to attest, that he faithfully and liberally complied with my Request. He visited them himself, and furnished them with Provisions and with Money, and appointed native Surgeons to attend them; and as they were able to bear it, he caused them all to be removed to his own Quarters.

“ Many Reports and Suspicions have prevailed of his being concerned in some of the Designs which were formed against us. I can neither credit nor refute them. The Evil imputed to him is at best doubtful: The Good which he did is certain, and he is entitled to the entire Merit of it (b).”

The Managers for the Commons stated, they would now proceed to lay before the House the Account of the Transaction respecting Captain Gordon and Sadut Ally, contained in the Correspondence between Colonel Hannay, Captain Gordon, and the Begums: Which Correspondence was annexed to this Article of Charge, as originally presented to the House of Commons, and afterwards admitted by Mr. Hastings in his Defence to the same at the Bar of that House.

The Counsel for the Defendant objected to the Production of this Evidence—the Letters not being upon the Consultations of the Governor General and Council of Bengal, nor in any other Shape upon the Records of the East India Company, and Captain Gordon, one of the Parties to the Correspondence, being in England.

(a) Vide supra, Page 123, Paragraph the last.

(b) Vide supra, Page 122, Line 1.

The Managers for the Commons stated, they had already given in Evidence the Defence of Mr. Hastings at the Bar of the House of Commons to this Article of the Charge as originally presented there;—that a Part of that Defence, upon which the Commons relied, was an Admission of certain Facts connected with the Letters now in question;—they now tendered the Letters therefore to explain what it was that was admitted by Mr. Hastings in that Part of his Defence, and contended, that for that Purpose, and under those Circumstances, the Letters as annexed to the above Article of Charge, were the best possible Evidence that could be produced.

The House observed, the first Step was for the Managers for the Commons to read that Part of Mr. Hastings's Defence, upon which they founded their Right to produce the Evidence offered;—and then the Question would arise, whether that Right were well or ill founded.

Accordingly, Read, the following Extract from Mr. Hastings's Defence.

“ Upon the Letters of Colonel Hannay and Captain Gordon, quoted by the Bow Begum in Proof of her Innocence of the Conduct imputed to her and her Servants, it is only necessary to observe, they were written at a Time and under the Impression of the Begums having it very much in their Power to contribute to the Safety, or possibly to the Destruction of Colonel Hannay's Detachment, then in a very precarious Situation in the Neighbourhood of Fyzabad, and at a Time too, when our Affairs at Benares were supposed by those Officers to wear an unfavourable Aspect. The Colonel's first Object was to procure Safety for the Person of Captain Gordon, who was at the Mercy of the Begums and their Eunuchs; and for this Purpose he thought no Means so likely to succeed, as declaring an implicit Reliance on their Friendship and good Faith, and affecting to consider himself under Obligations to them: Captain Gordon, however, most probably owed his Salvation to another Influence. Soon after he fell into their Hands, by the treacherous Conduct of Bahar Ally Cawn's Naib and adopted Son, at Tanda, the News of some successful Operations of our Troops at Benares reached the Begums; and as Affairs began to promise a speedy and decisive Issue in our Favour, it is not surprizing that the Begums and their Agents should endeavour, by Acts of Kindness, to efface the Impression, which they must have been sensible their Conduct had made to their Discredit. This was the Explanation given by Colonel Hannay to Mr. Middleton of the Motives of his Conduct to the Begums at that Period; and the Letters alluded to cannot possibly bear any other Construction, without an Imputation on the Veracity and moral Character of the late Colonel Hannay, which his Reputation and general Conduct in Life will not warrant. The Testimony of Colonel Hannay cannot now be had, but his Explanation to Mr. Middleton of the Motives of his Conduct to the Begums and their Agents, at that critical Conjunction of his own and the national Affairs, that Gentleman will be ready at any Time to certify on Oath; and the Evidence of Captain Gordon may possibly throw further Light upon the Subject (a).”

The Counsel for the Defendant said, they would not insist upon their Objection.

Then the Managers for the Commons delivered in a Paper, intituled, “ Articles of Charge of High Crimes and Misdemeanors against Warren Hastings Esquire.”

Read, the following Extract, from the same.

“ From her Excellency the Bow Begum to Mr. Bristow, Resident at the Vizier's Court.

“ There is no Necessity to write to you, by way of Information, a Detail of my Sufferings; from common Report, and the Intelligence of those who are about you, the Account of them will have reached your Ears: I will here relate a Part of them.

“ After the Death of Sujah Dowlah, most of his ungrateful Servants were constantly labouring to gratify their Enmity; but finding, from the firm and sincere Friendship, which subsisted between me and the English, that the Accomplishment of their Purposes was frustrated, they formed the Design of occasioning a Breach in that Alliance, to ensure their own Success. I must acquaint you, that my Son, Asoph ul Dowlah, had formerly threatened to seize my Jaghire; but upon producing the Treaty signed by you, and shewing it to Mr. Middleton, he interfered, and prevented the impending Evil. The Conspirators now framed an Accusation against me, of a Conduct which I never had conceived even in Idea, of rendering Assistance to Rajah Cheyt Sing. The Particulars are as follow: My Son, Asoph ul Dowlah, and his Ministers, with Troops, and a Train of Artillery, accompanied by Mr. Middleton, on the 16th of the Month of Mohurum, arrived at Fyzabad, and made a Demand of a Crore of Rupees. As my Inability to pay so vast a Sum was manifest, I produced the Treaty you signed and gave me; but to no Effect; their Hearts were determined upon Violence. I offered my Son, Asoph ul Dowlah, whose Will is dearer to me than all my Riches, or even Life itself, whatever Money and Goods I was possessed of;

but an amicable Adjustment seemed not worth accepting. He demanded the Delivering up the Fort, and the Recall of the Troops that were stationed for the preserving the Peace of the City. To me Tumult and Discord appeared unnecessary. I gave up these Points, upon which they seized my Head Eunuchs, Jewar Ally Cawn and Bahar Ally Cawn, and sent them to Mr. Middleton. After having obliged them to sign a Bond for Sixty Lacks of Rupees, they were thrown into Prison, with Fetters about their Feet, and denied Food and Water. I, who had never, even in my Dreams, experienced such an Oppression, gave up all I had, to preserve my Honour and Dignity. But this would not satisfy their Demands. They charged me with a Rupee and a Halt Batta upon each Mohur; and on this Account they laid Claims on me to the Amount of Six Lacks some Thousand Rupees, and sent Major Gilpin to exact the Payment. Major Gilpin, according to Orders, at first was importunate; but being a Man of Experience, and of a benevolent Disposition, when he was convinced of my Want of Means, he changed his Conduct, and was willing to apply to the Shroffs and Bankers, to lend me the Money. But with the Loss of my Jaghire my Credit was sunk. I could not raise the Sum. At last, feeling my helpless Situation, I collected my Wardrobe and Furniture, to the Amount of about Three Lacks of Rupees, besides Fifty Thousand Rupees which I borrowed from one Place or other, and sent Major Gilpin with it to Lucknow. My Sufferings did not terminate here. The Disturbances of Colonel Hannay and Mr. Gordon were made a Pretence for seizing my Jaghire. The State of the Matter is this. When Colonel Hannay was by Mr. Hastings ordered to march to Benares, during the Troubles of Cheyt Sing, the Colonel, who had plundered the whole Country, was incapable of proceeding. From the Union of Thousands of Zemindars, who had seized this favourable Opportunity, they harassed Mr. Gordon near Junivarra; and the Zemindars of that Place and Acberpore opposed his March from thence till he arrived near Tanda. As the Tanda Nulla, from its Overflowing, was difficult to cross without a Boat, Mr. Gordon sent to the Fouzdar to supply him. He replied, the Boats were all in the River; but would, according to Orders, assist him as soon as possible. Mr. Gordon's Situation would not admit of his waiting. He forded the Nulla upon his Elephant, and was hospitably entertained and protected by the Fouzdar for Six Days. In the mean Time, a Letter was received by me from Colonel Hannay, desiring me to escort Mr. Gordon to Fyzabad. As my Friendship for the English was always sincere, I readily complied, and sent some Companies of Nejeebs to escort Mr. Gordon, and all his Effects, to Fyzabad; where, having provided for his Entertainment, I effected his Junction with Colonel Hannay. The Letter of Thanks I received from both these Gentlemen upon this Occasion, are still in my Possession, Copies of which I gave in Charge to Major Gilpin to be delivered to Mr. Middleton, that he might forward them to the Governor General. To be brief, those who have loaded me with Accusations are now clearly convicted of Falsehood. But is it not extraordinary, that, notwithstanding the Justice of my Cause, Nobody relieves my Misfortune? Why did Major Gilpin return without Effect?

"My Prayers have been constantly offered to Heaven for your Arrival: Report has announced it; for which Reason I have taken up the Pen, and request you will not place implicit Confidence in my Accusers; but weighing, in the Scale of Justice, their Falsehoods and my Representations, you will exert your Influence, in putting a Period to the Misfortunes with which I am overwhelmed."

The Council for the Defendant requested the House to observe, that they did not mean to admit the Existence of the Letters now produced, but that they might be read in Evidence, as a written Paper, annexed to the Charge before the House of Commons, upon which Mr. Hastings had commented in his Defence: As explanatory therefore of his Defence, they might be read; but as Evidence of the Existence of the Letters, they conceived the Managers for the Commons were not intitled to read them.

Read also, from the same Paper, the following Extracts:

"Copy of a Letter from Colonel Hannay to Jewar Ally Cawn and Bahar Ally Cawn.

"I had the Pleasure to receive your friendly Letter, fraught with Benevolence; and whatever Favours you, my Friends, have been pleased to confer respecting Mr. Gordon, afforded me the greatest Pleasure.

"Placing a firm Reliance on your Friendship, I am in Expectation, that the aforesaid Gentleman, with his Baggage, will arrive at Fyzabad in Safety, that the same may oblige and afford Satisfaction to me.

"A Letter for Mr. Gordon is inclosed to you; I am in Expectation of its being inclosed in a Cover to the Aumil of Saunda, to the End that the Aumil may forward it to the abovementioned Gentleman, and procure his Reply. Whenever the Answer arrives, let it be delivered to Hoolas Roy, who will forward it to me.

"Always rejoice me by a few Lines respecting your Health. Continue to honour me with your Correspondence."

“ Copy of a Letter from Colonel Hannay to Jewar and Bahar Ally Cawn.

“ Cawn Saibury, indulgent Friends, remain under the Protection of God.

“ Your friendly Letter, fraught with Kindness, accompanied by an honorary Letter from the Begum Saib, of exalted Dignity, and enclosed a Letter from Mr. Gordon, sent through your Hiccarrahs, obliged and rejoiced me.

“ With respect to what you communicate, regarding your not having received an Answer to your friendly Epistle, I became perfectly astonished, as a Reply was written from Mohadree. It may be owing to the Danger of the Road that it never arrived, not to the smallest Neglect on my Side, or of mine.

“ I now send two Letters to you, one by the Dawk People, and the second by one of my Hiccarrahs, who will present them to you, which you will certainly receive.

“ I am extremely well contented and pleased with the Friendship you have shewn.

“ You wrote me to remain perfectly easy concerning Mr. Gordon; verily from the Kindness of you, my indulgent Friends, my Heart is quite easy. You also observed and mentioned, that, as Mr. Gordon's coming with those attached to him (probably his Sepoys and others) might be attended with Difficulty, if I approved, he should be invited alone to Fyzabad: My Friends, I place my Expectation entirely upon your Friendships, and leave it to you to adopt the Manner in which the said Gentleman may arrive, in Security, without Molestation, at Fyzabad; but at the same Time let the Plan be so managed, that it may not come to the Knowledge of any Zemindars; in this Case you are Men of Discernment. However he is to come to Fyzabad, extend your Assistance and Endeavours.

“ It is probable, that the Begum Saib, of high Dignity, has received authentic Intelligence from the Camp at Benares; favour me with the Contents or Purport.

“ From Mr. Gordon's Letter I understand, that Mirza Imaum Baksh, whom you dispatched thither (Saunda), has and still continues to pay great Attention to that Gentleman, which affords me great Pleasure.

“ An Answer to the Begum's Letter is to be presented; I also send a Letter for Mr. Gordon, which please to forward.”

“ An Address from Colonel Hannay to the Begum.

“ Begum Saib, of exalted Dignity and Generosity, &c. whom God preserve.

“ Your exalting Letter, fraught with Grace and Benevolence, that through your unbounded Generosity and Goodness, was sent through Grace and Favour, I had the Honour to receive in a fortunate Moment; and whatever you were pleased to write respecting Mr. Gordon, that at this Time the short sighted and deluded Riots had carried their Disturbances and Ravages beyond all Bounds, Mr. Gordon's coming with his whole People (or Adherents), might be attended with Difficulty; and therefore, if I chose, he should be invited to come alone.” Now, as your Highness is the best Judge, your faithful Servant reposeth his most unbounded Hopes and Expectation upon your Highness, that the aforesaid Mr. Gordon may arrive at Fyzabad without any Apprehension or Danger, I shall be extremely honoured and obliged.

“ Considering me in the Light of a Friend and faithful Servant, continue to honour and exalt me by your Letters.

“ What further can I say?”

“ Copy of an Address from Mr. Gordon to the Begum.

“ Begum Saib, of exalted Dignity and Generosity, whom God preserve.

“ After presenting the usual Professions of Servitude, &c. in the customary Manner, my Address is presented.

“ Your gracious Letter, in Answer to the Petition of your Servant from Gooudah, exalted me. From the Contents, I became unspeakably impressed with the Honour it conferred. May the Almighty protect that royal Purity, and bestow Happiness, Increase of Wealth, and Prosperity.

“ The Welfare of your Servant is entirely owing to your Favour and Benevolence.

“ A few Days have elapsed since I arrived at Gooudah with the Colonel Saib.

“ This is presented for your Highness's Information. I cherish Hopes from your Generosity, that considering me in the Light of one of your Servants, always continue to exalt and honour me with your gracious Letters.

“ May the Sun of Prosperity continually shine.”

“ Copy of a Letter to Mahumed Jewar Ally Cawn and Bahar Ally Cawn from Mr. Gordon.

“ Sirs,

“ My indulgent Friends remain under, &c. &c. &c. After Compliments, I have the Pleasure to inform you, that Yesterday having taken Leave of you, I passed the Night at Noorgunge, and next Morning about Ten or Eleven o'Clock, through your Favour and Benevolence, arrived safe at Gooudah. Mur Aboo Buksh Zemindar and Mur Rustum Ally accompanied me.

“ To

" To what Extent can I prolong the Praises of you, my beneficent Friends. May the Supreme Being, for this benign compassionate humane Action, have you in his Keeping, and increate your Property, and speedily grant me the Pleasure of an Interview; until which Time continue to favour me with friendly Letters, and oblige me by any Commands in my Power to execute.

" May your Wishes be ever crowned with Success.

" My Compliments, &c. &c. &c."

" Copy of a Letter from Colonel Hannay to Jewar Ally Cawn and Bahar Ally Cawn.

" Cawn Saib, my indulgent Friends, remain under the Protection of the Supreme Being.

" After Compliments, and signifying my earnest Desire of an Interview, I address you.

" Your friendly Letter, fraught with Kindness, I had the Pleasure to receive in a propitious Hour; and your inexpressible Kindness, in sending for Mur Naffar Ally with a Force to Taunda, for the Purpose of conducting Mr. Gordon with all his Baggage, who is now arrived at Fyzabad.

" This Event has afforded me the most excessive Pleasure and Satisfaction. May the Omnipotence preserve you, my steadfast firm Friends.

" The Pen of Friendship itself cannot sufficiently express your Generosity and Benevolence, and that of the Begum, of high Dignity, who so graciously has interested herself in this Matter. Inclosed is an Address for her, which please to forward. I hope from your Friendship, until we meet, you will continue to honour me with an Account of your Health and Welfare.

" What further can I write?"

The Managers for the Commons acquainted the House they would next produce a Letter from the Bow Begum to Mr. Hastings Eight Days before the seizing of her Treasures, to prove that she referred him to Captain Gordon, who was then with Mr. Hastings, for any Explanation upon the Subject, and stated, that his name was entered, and admitted by Mr. Hastings himself to be received at the Time written.

Read, the following Extract from Book 105, intituled, " Bengal Persian Correspondence," already delivered in.

" From the Mother of the Vizier.

" Received 6th January 1782."

" Par. 5. Our Situation is pretty well, and your good Health is constantly prayed for. I had sent Behar Ally Khan to you; accordingly People invented a Falsehood, that Behar Ally Khan was gone to get the Deputyship of the Subah, and some Persons here were saying, " wherefore has she sent Behar Ally Khan to Calcutta, to the Nawab Amaud ud Dowlah; we will never permit the Affair to succeed." And accordingly it has so happened; for they say that you also have not put your Seal to the Treaty; and the People here say, Why does the noble Lady correspond with the English Gentlemen? On this Account I did not send a Letter at the Time when you came this Way. Now the State of Affairs here is thus: On the 27th, Zehedje Afuph ud Dowlah Behader, without my Knowledge, sent his own Aumils into my Jagheer. I accordingly wrote several Times to Mr. Middleton on this Business; that his Seal was to the Treaty, and Writing of Discharge, why did he not negotiate in my Favour? Mr. Middleton replied, " The Nawab is the Master." I wrote frequently, but without Effect. Being helpless, I represent to you the State of my Affairs; that notwithstanding the Existence of this Treaty, I have been treated in this Manner. It is useless for me to stay here. Whatever is, is a Compact; whenever any one deviates from his Compact, he meets with no Credit for the Future; and the Light of mine Eyes, Afuph ud Dowla, wrote to me, that he had sent his own Aumils into my Jagheers, and would pay ready Money from his Treasury. Reflect on my Security for his adhering to his future Engagements, from the Consideration of his Conduct under his past Promises. I do not agree to his ready Money; let me have my Jagheer as formerly; otherwise, leaving this Place, I will wait on you at Benaris, and thence will go towards Shah Jehan Abad, because he has not adhered to his Engagements. Send Letters to Afuph ud Dowla, and to Mr. Middleton, and Hussien Reza Khan, and Hyder Beg Khan, not to molest the Begum's Jagheer, and to let them remain as formerly, with the Begum's Aumils. And it is here suspected of me, that my Aumil plundered the Property of Mr. John Gordon: The Case is this; Mr. John Gordon arrived at Tandah, a Jagheer of mine, fighting with the Zemindars of Akberpoor, which belongs to the Khalsch. Accordingly, Mr. John Gordon having come to Tandah, my Aumil performed whatever appertained to his Duty. Afterwards Mr. John Gordon wrote to me to send my People, that he might come with them to Fyzabad. I sent People accordingly to bring Mr. John Gordon, and the said Gentleman arrived here in complete Safety; and Mr John Gordon is now present, ask him yourself of these Matters. Mr. John Gordon will represent Matters in Detail; the Truth will then become known, how ill founded the Calumny is. Should you come here for a few Days, it will be very well, and if not, I will

will wait on you; and your coming here is very necessary, that all my Affairs may become arranged; and send a speedy Answer to my Letters, and Letter to Afuph ud Dowlah and Mr. Middleton, and Hussen Reza Khan, and Hyder Beg Khan, on the Subject of ceasing to molest my Jagheers, and send me constantly News of your Health, for my Peace of Mind depends thereon."

To prove the Situation and the Resources of the Rajah Cheyt Sing, at the Time the Begums rescued Captain Gordon,

Read, the following Extract from the Benares Narrative, beginning at Page 44 of the same.

(a) "Troops entertained after the Arrival of Cheit Sing at Lutteefpoor.

First, entertained at Lutteefpoor, Matchlock and Sword Men	—	2,000
Second, Nujjeeb, Sword Men from Lucknow	—	1,000
Total	—	3,000

"Troops assembled from different Places.

Horse and Foot with Juggur Dew Sing	—	500
Matchlock Men arrived with Bukht Sing, by Order from the Rajah	—	1,200
With Gomaun Sing, sent for by the Rajah, Matchlock Men	—	500
From the Fougedar of Biddevec arrived, Matchlock Men	—	1,000
Rajepoots of the Tribe of Rugbunsee from Kurraukut	—	3,000
Arrived with Dillon Sing, Fougedar of Mukurun Badshahpoor, Matchlock Men	—	1,500
Cavalry and Infantry arrived with Rezza Cooli Khan, from Mirzapoor	—	300
Rajepoots collected from Agoree and Purwah, by Dia Lutchoo	—	500
Tribe or Cast of Khummaur, collected by Soojaun Sing	—	1,000
Sword and Matchlock Men with Ramjeeawun	—	2,000
		11,500

"To which are to be added, Husbandmen and Adventurers, who took up Arms voluntarily, making the foregoing Number amount to near Forty thousand.

"These Forces were divided between Lutteefpoor, Pateeta, and Ramnagur. The best reputed of them were at Pateeta, and the great Mass, composing the last Corps, with a Part of the others, at Lutteefpoor with the Rajah, who had fixed his Residence at that Place since his Flight from Shewallah Ghaut.

"Before I proceed, it may not be improper to state the other Resources on which he, not very unreasonably, depended for lengthening the War, if not for Success in the Course of it.

"First, his Fortresses; of which there are many, and some of considerable Extent and Strength, erected in various Parts of the Zemeedary. Of these the Two Principal are Bidjeygur and Lutteefpoor. Ramnagur scarcely deserves to be named with them; and Pateeta has been rendered considerable only by its having been a capital Scene of his Opposition, and of our Victories.

"Bidjeygur is a Fort erected on the solid Rock of a Hill, rising to the Height of 745 perpendicular Feet from the level Ground. It lies about Fifty Miles in a South-East Direction from Chunar. It was the Depository of all his and his Father's Treasures.

"Lutteefpoor is a large Fort, built with Stone, and surrounded by Hills, and, either from Neglect or Design, obstructed from distant View by Trees and thick Shrubs surrounding it. It lies about 14 Miles Eastward from Chunar.

"Pateeta is a very large Town, surrounded by a Rampart of Earth, extending to a great Distance beyond it to the Hills adjoining. The Fort itself is a small square House of Stone, itself fortified with Four round Towers, and inclosed with a high Rampart, and a Ditch which is in most Parts broad and deep. Its greatest Advantage against an Enemy, to whom Delay was Defeat, was that it was invisible to its Assailants.

"Ramnagur has been described already. The other Forts, whatever their Consequence under a different Train of Successes might have been, are of none to the Events of this Narrative.

"His next great Resource was his Wealth; on which he looked, and thought himself invincible; an Expression which I borrow from one of the meanest of his Dependants. It is credibly affirmed, that he inherited from his Father, Bulwant Sing, a complete Crore of Rupees, to which it is believed that he made considerable Additions.

"The Distresses of our Government, and the Power and Number of its Enemies, may also be reckoned, though negative, yet amongst his Resources. The rest were delusory, which the false and violent Counsels of his Brother Soojaun Sing, and his Buxey Suddanund, imposed on his Inexperience, and the Pliancy and Aptitude of his Disposition."

To prove the Situation of Mr. Hastings at, and after, the above mentioned Conduct of the Begums towards Captain Gordon,

Read, the following Extract from Mr. Hastings's Second Defence.

"It is well known, that, by the Example and at the Instigation of Rajah Cheit Sing, the Zemindar of Benares, the Inhabitants of that District revolted from our Government, and continued in a State of Rebellion from the 22d of August to the 22d of September 1781. During this short, but important Period, I was confined to the Fortrefs and Plain of Chunar; and in a Situation which, in the Apprehension of many, portended certain Destruction to myself, and my small Party."

The Managers for the Commons acquainted the House, they should next produce several Letters from Captain M'Donald, to the same Point.

Read, from Mr. Middleton's Letter Book, A. already delivered in, beginning at Page 100 of the same Book, the following Extract of a Letter from Major Naylor to Captain Jaques, dated Camp, Fyzabad, February 8th 1782.

"To Captain Jaques, commanding the 2d Battalion, 20th Regiment.

"Sir,

"Hoolafs Roy, the Person appointed by the Nabob for transacting the Business for which the Troops are required here, will hold constant Communication and Intercourse with you; and as he is instructed and acquainted with the best Method to accomplish this Business, Mr. Middleton requests implicit Attention to be paid to what he may from Time to Time represent respecting the Prisoners, or the Business in which he is employed. In short, as he is the Person nominated by the Nabob, he wishes Hoolafs Roy to be considered in the same light as if he himself were present.

(Signed at the End)

"N. Taylor,
Major, Commanding at Fyzabad."

Read, also, from the same Book, Page 124, Letter from Captain Jaques to Nathaniel Middleton Esquire.

"Nathaniel Middleton Esquire, Resident at the Vizier's Court.

"Sir,

"I am this instant honoured with your Letter of Yesterday's Date: Immediately upon the Receipt of it, I sent for your Agent Hoolofs Roy, who informs me, that Doondey Khawn, the Person you wrote about, has left Fyzabad four Days ago, and that it is supposed he has taken the Jansey Road.

"Upon my asking him his Reason for not informing me of this Matter upon his first obtaining Knowledge of it, he gave me to understand, that he received no Orders from Mr. Johnson, upon his leaving Lucknow, either to inform me of any Thing that happened, or that he knew he was to have any Intercourse with me.

"I have thought it necessary to desire Hoolofs Roy to communicate any Intelligence of Consequence to me, from Time to Time, that he may obtain.

"I have the Honour to be,

"Sir,

"Your most obedient humble Servant,

"Palace, Fyzabad,
March 19th 1782,
12 o'Clock at Night.

(Signed) "Leo^d Jaques, Captain
2d Battⁿ 20th Reg^t of Sepoys."

Read, also, from the same Book, Page 79, Letter from Mr. William Davy to Nathaniel Middleton Esquire.

"Sir,

"I am directed by the Governor General to inform you that the Bearer, Hoolaus Raic, who attended here by your Orders, has been examined as to the Points on which he could give Information, and has now received Permission to return.

"December 21st 1781,
Benares.

"I am, Sir,

"Your most obedient Servant,

(Signed)

"W^m Davy,

"P. Persⁿ Transl."

"Nathaniel Middleton Esquire.

Then the Managers for the Commons desired NATHANIEL MIDDLETON Esquire might be called; and being called in, he was examined as follows:

Q. To what Period do you confine your Idea of the Rebellion of the Begums?

A. To the latter End of September 1781.

3 Q

Q. During

Q. During what Period of Time is it that you state the Begums were doing what you call Acts of Rebellion?

A. From the first breaking out of the Insurrection at Benares to the End of the Month of September, or nearly the End of the Month of September.

Q. Did you suppose the Rebellion to have ceased when you left Chunar with the Nabob?

A. I supposed it had.

Q. Do you mean that you heard of no Hostilities whatever upon the Part of the Begums afterwards, either against the Nabob or the English Government?

A. Upon the Resumption of the Jaghires, I conceive that the Begums did commit Acts of Hostility, at least, that they threatened Hostilities: I cannot say they actually committed any Acts of Hostility, but they threatened them.

Q. Did you enter in your Letter Book the Whole of the Correspondence respecting this supposed Rebellion of the Begums, either with Mr. Hastings or Colonel Hannay; or any other Person?

A. The Whole of my Publick Correspondence.

Q. Did you not repeat the Substance of many Letters which you had received from Colonel Hannay, in a Letter of yours, dated the 19th of October, to Mr. Hastings?

A. I recollect making Extracts of several Letters which I received from Colonel Hannay, in a Letter to Mr. Hastings; but I cannot say that that was exactly the Date. I recollect making Extracts of the Letters in my Possession from Colonel Hannay, and making it a Letter to Mr. Hastings.

Then a Book was shewn to the Witness, and he was asked,

Is this one of the Letter Books upon which you so entered your Publick Correspondence?

A. Yes; this is a Letter Book in which I entered Letters that were received by me in my Publick Capacity.

Then the following Passage was read to the Witness, from Page 86 of the said Book:

"I was favoured with yours of the 3d this Morning; and have the Pleasure to repeat to you, that every Thing is quiet in this Pergunna of Nabob Gunge."

Then the following Question was put to the Witness:

Q. Does that Book contain Copies of Letters you sent?

A. No; this Book does not.

Q. Does the Letter referred to by the Expression "I repeat to you," &c. appear in that Book?

A. The Letter is from Major Naylor to me: The Expression is this—"I have the Pleasure to repeat to you every Thing is quiet in this Pergunna of Nabob Gunge."

Q. Do any of those Letters from Colonel Hannay, the Contents of which you afterwards recapitulate in your Letter of the 19th of October 1781, to Mr. Hastings, appear in your Book?

A. I believe they do not: I do not recollect they do.

Q. Why do not they appear in your Letter Book?

A. I believe they were all private Letters—familiar Letters—in which he occasionally spoke of the Circumstances relative to the Begums.

Q. Was not the Matter communicated to you by Colonel Hannay in those Letters, made the Ground of the whole Proceedings against the Begums, in the Order received from Mr. Hastings to seize the Treasures?

A. I apprehend not: Every Thing contained in those Letters was afterwards confirmed by Colonel Hannay, upon Oath, before Sir Elijah Impey—the principal Matters: I will not say, every Thing; but the principal Facts related in those Letters, were confirmed by Colonel Hannay, upon Oath, before Sir Elijah Impey.

Q. Then the Matter contained in those Letters, not depending upon the Evidence of the Letters alone, but confirmed on Oath, was made the whole Ground of your proceeding against the Begums?

A. Not the whole, I conceive; that must have been some Part of the Ground of the Proceedings.

Q. Had you not received Intimation from Mr. Hastings of his Pleasure, that the Treasure of the Begums should be seized, before Colonel Hannay made any such Affidavit?

A. I have not a very perfect Recollection of the Time of the first Communication of Mr. Hastings's Pleasure relative to the seizing the Treasures. I remember having Conversation with Sir Elijah Impey, whilst he was at Lucknow; but certainly I never conceived that Proposition came

came from Mr. Hastings: My Idea was, it was a Proposition from the Nabob, though not actually or formally made to Mr. Hastings; and I can take upon me to affirm, it had been frequently mentioned in Conversation with the Nabob or his Ministers, long before Sir Elijah Impey arrived in Lucknow. Upon looking over the Correspondence, I find, that the first Proposition made to Mr. Hastings upon the Subject, was dated the 2d of December 1781; the first Proposition from myself.

Q. The first Proposition from yourself?

A. The first Proposition from myself appears to be dated the 2d of December 1781.

Q. Was Mr. Hastings's Answer to that Letter of the 2d of December, the first Communication which you received from Mr. Hastings himself upon that Subject?

A. No, certainly not: I have before said, I recollect very well having some Conversation with Sir Elijah Impey upon the Subject while he was at Lucknow, which was the End of November.

Q. Did not Sir Elijah Impey bring the Proposition to you from Mr. Hastings to this Effect: That the Nabob should propose to Mr. Hastings to seize the Treasures of the Begums?

A. The Recollection I have of Sir Elijah Impey's Communication to me was this: that Mr. Hastings considered the Conduct of the Begums to have forfeited their Claims to the Company's Protection; and that if the Nabob should be disposed to seize the Begum's Treasures as the Treasures of the State, Mr. Hastings would not obstruct him? As far as I can charge my Memory with it, that was the Proposition of Sir Elijah Impey's Communication.

Q. Did you ever make any Communication of any Sort respecting the seizing the Treasures to Mr. Hastings, prior to Sir Elijah Impey's Arrival at Lucknow?

A. No, certainly not.

Q. Was not your Letter of the 2d of December a publick Letter to Mr. Hastings?

A. I do not recollect: I beg Leave to refer to the Letter itself.

Q. Do you remember when you received an Answer to your Letter of the 2d of December?

A. I would refer to the Letter.

Then a Book was shewn to the Witness, and he was asked,

Q. When did you receive the Answer to that Letter, whether it was publick, or whether it was private?

A. I believe Mr. Hastings's Answer was upon the 26th of December.

Q. Whether this Passage in your Letter of the 6th of December 1781—"Your Pleasure respecting the Begums, I have learnt from Sir Elijah Impey, and the Measure you propose shall soon follow the Resumption of the Jaghires," relates to the Proposition verbally communicated to you by Sir Elijah Impey from Mr. Hastings?

A. I have no Doubt it did.

Q. In your Letter of the 2d of December 1781, there is this Passage—"the Nabob writes you himself upon the Subject, you have his Letter inclosed." Did you ever see that Letter from the Nabob?

A. No, I do not know that I did; I believe I did not: But I understood the Purport of it.

Q. From whom did you receive it?

A. Either from the Nabob or his Minister, I cannot say which: probably from the Minister.

Q. Do you know why that Letter has never appeared?

A. I do not.

Q. Did you consider the Resistance to the Resumption of the Jaghires as any Ground for the Determination to seize the Treasures of the Begums?

A. I did not; the actual Resistance to the Resumption of the Jaghires was after the Measure of seizing the Treasures had been determined upon.

Q. Had any Measures been taken, or any Notice given, or any Perwanna issued for seizing the Jaghires, prior to the 2d of December 1781?

A. I do not know that any Steps had actually been taken, that any positive Acts had been done, but no doubt the Communication had been made; it was generally known the Jaghires were to be resumed previous to that Period.

Q. Do you mean that it was known that the Jaghires were to be resumed before the Nabob had consented to the Measure.

A. I believe it was a Measure which it was supposed was to take place equally, whether the Nabob agreed to it or not, whether it was consistent with the Nabob's Wishes or not.

Then

Then a Letter, dated 6th December 1781, was shewn to the Witnefs, and the following Passage read to him.

“ Finding the Nabob wavering about the Refumption of the Jaghires, I this Day, in the Prefence of and with the Minifters Concurrence, ordered the neceffary Perwannas to be written to the feveral Aumils for that Purpofe; and it was my firm Refolution to have difpatched them this Evening, with proper People to fee them punctually and implicitly carried into Execution (a).”

Then the Witnefs was asked,

Q. Did you write that Letter?

A. Yes; I have no Doubt of it.

Q. Did you not afterwards actually iffue your Perwanna, againft the Nabob’s Will, in order forcibly to take Poffeffion of the Jaghires of the Begums?

A. The Perwannas were written, but not iffued; they were to have been accompanied by Perwannas to a fimilar Purport from the Nabob’s Miniftry.

Read, from Book 82, Page 119, the following Extracts of Letters from Nathaniel Middleton Efquire to Warren Haftings Efquire, in the Appendix to a Confultation of 12th June 1783:

“ Fort William, the 12th June 1783.

“ At a Council; Prefent,

The Honourable Warren Haftings, Governor General, Prefident;
Edward Wheler,
John Macpherson, } Efquires.
John Stables,

“ The Honourable Warren Haftings.

My dear Sir,

Lucknow, 6th December 1781.

“ Finding the Nabob wavering in his Determination about the Refumption of the Jagheers, I in Prefence of, and with the Minifters Concurrence, ordered the neceffary Perwannahs to be written to the feveral Aumils for that Purpofe; and it was my firm Refolution to have difpatched them this Evening, with proper People to fee them punctually and implicitly carried into Execution; but, before they were all tranfcribed, I received a Message from the Nabob, who had been informed by the Minifter of the Refolution I had taken, entreating that I would withhold the Perwannahs until To-morrow Morning, when he would attend me, and afford me Satisfaction on this Point. As the Lofs of a few Hours, in the Difpatch of the Perwannahs, appeared of little Moment; and as it is poffible the Nabob, feeing that the Bufinefs will at all Events be done, may make it an Act of his own, I have confented to indulge him in his Request; but be the Refult of our Interview whatever it may, nothing fhall prevent the Orders being iffued To-morrow, either by him or myfelf, with the Concurrence of the Minifters. Your Pleafure refpecting the Begums I have learnt from Sir Elijah, and the Meafure heretofore propofed will foon follow the Refumption of the Jagheers; from both, or indeed from the former alone, I have no Doubt of the complete Liquidation of the Company’s Balance (b).

“ I am, &c.

“ Nath. Middleton.”

“ The Honourable Warren Haftings.

“ My dear Sir,

Lucknow, the 7th December 1781.

“ I had the Honour to addrefs you Yefterday, informing you of the Steps I had taken in regard to the Refumption of the Jagheers. This Morning the Vizier came to me, according to his Agreement, but feemingly without any Intention or Defire to yield me Satisfaction on the Subject under Description; for, after a great Deal of Converfation, confifting, on his Part, of trifling Evasion and puerile Excufes for withholding his Affent to the Meafures, tho’ at the fame Time profefling the moft implicit Submission to your Wifhes, I found myfelf without any other Refource than the One of employing that exclusive Authority with which I confider your Inftuctions to veft me. I therefore declared to the Nabob, in Prefence of the Minifter and Mr. Johnson, who I defired might bear Witnefs of the Converfation, that I conftrued the Rejection of the Meafure propofed as a Breach of his folemn Promise to you, and an Unwillingnefs to yield that Affiftance, which was evidently in his Power, towards liquidating his heavy accumulating Debt to the Company, and that I muft in confequence determine, in my own Juftification, to iffue immediately the Perwannahs, which had only been withheld in the fanguine Hope, that he would be prevailed upon to make that his own Act, which nothing but the moft urgent Neceffity could force me to make mine. He left me without any Reply, but afterwards fent for his Minifter, and authorized

(a) Vide Appendix, N^o XXXVIII.

(b) Vide Appendix, ibid.

him to give me Hopes that my Requisition would be complied with, on which I expressed my Satisfaction, but declared that I could admit of no further Delays, and unless I received his Excellency's formal Acquiescence before the Evening, I should then most assuredly issue my Perwannahs, which I have accordingly done, not having had any Assurances from his Excellency that could justify a further Suspension. I shall, as soon as possible, inform you of the Effect of the Perwannahs, which, in many Parts, I am apprehensive, it will be found necessary to enforce with Military Aid; I am not however entirely without Hopes, that the Nabob, when he sees the Inefficacy of further Opposition, may alter his Conduct, and prevent the Confusion and disagreeable Consequences which would be too likely to result from the Prosecution of a Measure of such Importance without his Concurrence. His Excellency talks of going to Fayzabad for the Purpose heretofore mentioned, in Three or Four Days; I wish he may be serious in this Intention, and you may rest assured I shall spare no Pains to keep him to it.

" I am, &c.

(Signed) Nath. Middleton."

Q. Do you mean, that you did not actually issue your Perwannah?

A. The Perwannahs, I believe, never went further than the Minister's Hands. Upon reading this Letter, I have a Recollection that some of the Perwannahs were sealed, and given to the Minister who was to dispatch them; but they never went beyond his Hands.

Read, also, from the same Book, 82, Page 125, the following Letter, from Mr. Middleton to the Governor General.

" The Honourable W. Hastings.

" My dear Sir,

Lucknow, the 9th Dec. 1781.

" I had the Honour to address you on the 7th instant, informing you of the Convention which had passed between the Nabob and me, on the Subject of resuming the Jagheers. The Step I had taken in consequence. His Excellency appeared to be very much hurt and at the Measure, and loudly complains of the Treachery of his Ministers; first, in giving Hopes that such a Measure would be adopted; and, secondly, in their promising me their Support in carrying it through. But, as I apprehend, rather than suffer it to appear that a Point had been carried in Opposition to his Will, he at length yielded a nominal Acquiescence, and has this Day issued his own Perwannah to that Effect; declaring, however, at the same Time, both to me and his Ministers, that it is an Act of Compulsion. I hope to be able, in a few Days, in consequence of this Measure, to transmit you an Account of the actual Value and Produce of the Jagheers, opposed to the nominal Amount at which they stand rated on the Books of the Sircar.

" I have the Pleasure to inform you, the Nabob still adheres to his Resolution of proceeding immediately to Fayzabad, for the Purposes already mentioned to you, and will, I believe, depart in Three Days from this Date. I entertain the most flattering and sanguine Expectations from his Journey; and we shall not be kept long in Suspence concerning the Result, as he is convinced of the Danger and Impropriety of Delay."

Then the Witness was asked;

Q. Are not all these Parts of your private Correspondence with Mr. Hastings?

A. They are.

Q. Where are Mr. Hastings's private Answers to those Letters?

A. They are to be found in the same Book, I believe: If there were any Answers written, they are in the Books; all the Letters, to my Knowledge, received and written upon this Subject, are in those Books.

Q. Look at that Book now before you, and account, if you can, why there are so many loose Pages in that Book; and why there are Three Series of Pages; not as in the other Books, where the Pages are carried on from the Beginning to the End; and that upon Paper evidently of a different Sort: First of all, do you observe any loose Leaves?

A. Yes, there are.

Q. Do you observe any Interruption of the Series of the Papers?

A. Those Letters are not entered regularly by any Means: The Interruption that appears in the Pages is, that the Letters were copied upon different Sections of Paper at different Times; and they are bound up, as the Sections were, without any general paging of the Whole.

Q. Do you observe any Difference of Paper in particular Parts of the Book?

A. Yes, there are certainly different Papers. I must observe, that I never delivered these Books as complete Copies of my Correspondence; they were such Copies as I happened to have in my Possession. A great many of the Copies of Letters had been taken, in a great Hurry, upon my

leaving Lucknow; and I mentioned that to the House of Commons at the Time they were delivered: I did not deliver them as complete Copies; but I mentioned at the Time, that I thought they would be found very defective.

Q. Do you remember when they were bound up in the Form of Books?

A. They were bound up in Calcutta.

Q. Do you mean, you carried down your Correspondence to Calcutta, and that there that Correspondence was copied, and then bound in those Books?

A. It was bound up in Calcutta, and copied at Lucknow; some were copied while I staid at Lucknow, and some of the others were sent even long after I arrived at Calcutta.

Q. Whether any of them were copied at Calcutta?

A. The last Leaves seem to have been copied at Calcutta.

Q. (*from a Lord.*) Is it only in one Part of the Book where the Change of Paper is, or different Parts?

A. It is of different Kinds, in different Parts of the Book.

Q. Are we to understand, in point of Fact, that those were not the Books in which your Correspondence was copied at Lucknow; your Office Letter Books?

A. My Copy Books of Letters were left at Lucknow; complete Copies of my Correspondence were left in my Office at Lucknow; those are Copies I had taken for my own private Satisfaction. Compleat Copies of all my Correspondence will be found in the Resident's Office at Lucknow—Copies of Letters received.

Q. (*from a Lord.*) Are those Copies of Copies, or Copies of Originals?

A. Copies of Originals in some Instances, I cannot say in others; they are not the official Books sealed up; and the Reason, I apprehend, of several loose Leaves being here is, they were Let-
tered at Calcutta, after I had quitted my Office at Lucknow; and some even from Per-
pustakaan.

Q. When those Books do not contain Copies of all the Correspondence in your publick official Book at Lucknow?

A. I rather apprehend they do not; they were copied in a great Hurry, and I have no doubt a great many Letters must have been omitted in the Hurry of copying.

Q. Who superintended the Copying of those Letters, and directed what should be inserted in those Books, and what not?

A. It was my Wish to have compleat Copies of the Whole, but I had not Time to get the Whole while I staid at Lucknow; many Copies of Letters were sent to me after I quitted my Office; they are in different Hands, by several Assistants and Writers that I employed at Lucknow.

Q. Were there any Directions given for a Selection?

A. No, none.

Q. Are you sure that you copied into those Books all the Letters you received from Lucknow that were sent down to Calcutta?

A. I believe I have, but I cannot absolutely assert it as a Fact, because being in loose Leaves, some may have been lost; I cannot say I have, or have not; I certainly meant to include in them all the Letters I received from Lucknow.

Q. Were not some original Letters transmitted to you from Lucknow?

A. After my Departure from Lucknow, some original Letters were written to me, undoubtedly; but no original Letters were sent from my Office at Lucknow to me at Calcutta.

Q. Did you look over the whole Correspondence transmitted to you from Lucknow before you caused the Letters to be bound up?

A. No, I do not believe I did; they were not bound up by me, they were bound up by Mr. Johnson, who had a Person employed in binding them for several Days.

Q. Then to your own Knowledge you cannot assert whether any Letters were, or were not, omitted in the binding up?

A. I certainly cannot; but I have no Reason to believe, that any one Letter could possibly be withheld from Design.

Then a Book was shown to the Witness, and he was asked;

Q. Whether a Number of Pages are not torn out at a very critical Part of this Correspondence, the Pages beginning at N^o 1. afterwards; the Letter Book is marked D?

A. This is in the same State as the others, with a Number of loose Letters and Pages which were copied in Calcutta.

Q. The

Q. The Question put to you is, whether you observe in that Book, that any, and what Number of Pages, subsequently to the binding up, have been torn out, both at the Beginning and the End?

A. It appears to be very incomplete.

Q. Do the Pages of that Book appear to go in a regular Series so far as is left of it?

A. They do.

Q. What is the First Page mentioned there?

A. Page 1.

Q. Can you account for those Leaves having been evidently torn out at the Beginning and End of that Book?

A. It is impossible for me to judge; I cannot take upon me to say any of them have been torn out.

Q. There are Pages loose?

A. Yes.

Q. Is there any Mark upon those loose Pages, that looks as if they had been bound with the rest?

A. No, I do not believe there is.

Q. Look at the Book, and say, whether it appears to you the Book has originally been a larger Book?

A. It does appear so.

Then the Book was brought to the Table, and inspected by the House.

Then the following Question was put to the Witnesses:

Q. Whether, when the Nabob assented to seizing the Treasures, he did not assent to an Alternative, in order to be released from being pressed on the Part of the British Government, to resume the Jagheers?

A. I believe he did mention it as an Alternative. His Expression was, that if it was meant to enable him to pay his Debt to the Company, it would be better effected, by taking his hereditary Treasures from the Begums. I believe that is the Expression.

Q. Did you make the Proposition to the Nabob, or did the Nabob propose it to you as an Alternative?

A. The seizing of the Treasures?

Q. Yes.

A. I have said he did propose it as an Alternative.

Q. Did you acquaint Mr. Hastings with that?

A. I wrote to Mr. Hastings upon the Subject; but I wish to refer to the Letter.

Read, the following Letter from Nathaniel Middleton Esquire to Warren Hastings Esquire, from the Appendix to a Consultation of the 12th June 1783, from Book 82, already delivered in, beginning at Page 108 of the same Book.

“ Fort William, 12th June 1783.

“ At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

Edward Wheler,

John Macpherson,

John Stables,

} Esquires.

“ To the Honourable Warren Hastings.

“ My dear Sir,

Lucknow, the 2d December 1781.

“ I had Yesterday the Honour of informing you of the Message I sent to the Nabob through the Minister respecting the Jagheers, to which his Excellency this Morning returned me a Reply, purporting, that, if the Measure proposed was intended to procure the Payment of his Balance due to the Company, he could better and more expeditiously effect that Object, by taking from his Mother what she is very able to spare, and what he has an undoubted Right, as he conceives, to exact from her. The present Debt to the Company, as he with Truth observes, is a great Part handed down from his Father, and the Funds from which he might have been enabled to liquidate it, it is notorious were withheld from him by the Begum on the late Nabob's Death; that, according to the Laws of the Koran, and the invariable Custom of the Country, he is justly entitled to the whole Estate and Treasures of his Father, and could legally demand their being put in his Possession; but that the Sum he desires to take from his Mother (about Sixty Lacks) bears no Sort of Proportion to the immense Wealth which fell into her Hands on the Death of his Father.

Father, nor would it bear at all hard upon her, as he knows how much her Treasures exceed that Sum. All therefore that he asks, is, not to be interrupted in recovering a Part of his hereditary Right, by which he will be enabled to discharge immediately the Whole of his Debt to the Company.

" This, my dear Sir, is a flattering Proposition; and, as to the Point of Right, admitting it to be less clear and defined than the Nabob chuses to consider it, you may possibly be of Opinion, that the Conduct of the Begums on the late Disturbances at Benares, as set forth in the several Testimonies laid before you, has forfeited any Claim they might originally have had to the Protection and Mediation of the Company; and further, that it may not be political, or yet perfectly safe, to trust them any longer with such powerful Means of promoting an Opposition to our Interests.

" For my own Part, I am so well persuaded of the Disaffection of the Begums, particularly the present Nabob's Mother, to our Cause, and of their Promptitude to unite in any Measure to distress us, that I could very easily reconcile it to my Conscience to assist the Nabob, instead of obstructing him, in wresting from them every Benefit they enjoy beyond a decent Maintenance;—however, this is only my own Opinion, and by no Means meant to influence yours. The Nabob writes you himself on this Subject, and you have his Letter inclosed. Neither he nor I expect that you should give a formal Sanction to the Measures proposed: It will be sufficient that you but hint your Opinion upon it, and enable me to inform his Excellency, whether you would, or would not, oppose his Design. Let me entreat you therefore, my dear Sir, to favour me with a Line by the Return of the Dak, and if your Sentiments should happen to accord with my own, I doubt not but I should be able to congratulate you in a very short Space of Time upon the Remittance of a handsome Sum to the Presidency.

" I am, &c.

(Signed)

Nath. Middleton.

Whatever may be your Resolution upon the Subject of this Letter, it will be expedient to keep it secret. The Resumption of the Jagheers it is necessary to suspend until I have your Sentiments on this Letter."

Then the following Question was put to the Witness:

Q. Did you at this Time consider the English Guarantee as withdrawn from the Begums?

A. At this Time it was not formally withdrawn; I did not understand it to be formally withdrawn at this Time.

Q. Explain what you mean by formally: When was it formally withdrawn?

A. Mr. Hastings, at that Time, had not expressed his formal Acquiescence to the Nabob's Proposal.

Q. Do you know when that Acquiescence was signified?

A. Upon the Twenty-sixth of December.

Q. Did you consider that as a formal Withdrawing?

A. Yes, I did.

Q. You say you consider the Letter of Mr. Hastings, of the Twenty-sixth of December, as a formal Withdrawing of it; and you did not consider it as a formal Withdrawing before that Time?

A. No, as far as I could judge I did not; Mr. Hastings's first Letter is dated the Twenty-sixth of December; in that he says, "I approve of the Nabob's Resolution to deprive the Begums of their Treasure."

Q. You do not remember any former Letter, in which he expresses the same Approbation?

A. Not before this.

Q. Did you then consider the Guarantee as in Force, when you parted from Mr. Hastings, after signing the Treaty of Chunar?

A. I did.

Q. Whether you had any Reason to believe, that Mr. Hastings considered the Guarantee as waste Paper, at the Time he signed the Treaty of Chunar?

A. If I might venture an Opinion upon the Subject, I should suppose he did not consider it in that Light intirely, or he would not have provided an Equivalent for the Jaghires, when they should be resumed.

Q. But had you any Means of knowing from him, or from any Communication made by him, in what View he did consider it at the Time?

A. No.

Then

Then the following Passage from Mr. Hastings's Defence was read :

" The two distinct Acts, of resuming the Jaghires, and seizing the Treasure, are confounded, and improperly made to originate from one and the same Cause, viz. the Defection of the Begums in the Insurrection at Benares. At the Time that the Resumption of the Jaghires was resolved on, the Conduct of the Begums, though strongly suspected, was not sufficiently ascertained, to justify depriving them of Jaghires held under the Pledge of the Company, without an Equivalent, and accordingly a full Compensation was stipulated. Their Conduct, in openly and most violently opposing, by armed Force, the Nabob's Orders for the Resumption of the Jaghires, though they were not to be Losers by it; their exciting their Agents, and other Jagheerdars, to unite in forcible Resistance, and, lastly, the subsequent Information which was obtained, of their Zeal and Activity in supporting the Rebellion of Rajah Cheit Sing, spreading its Consequences through the Nabob's Dominions, for the declared Purpose of Extirpation, were the Grounds of withdrawing the Company's Guarantee (a)."

Then the following Question was put to the Witnesses :

Q. Whether you considered the Conduct of the Begums, in resisting the Resumption of the Jaghires, as a Ground for determining to confiscate their Treasures?

A. No, I certainly did not.

Q. For what Purpose did you go to Fyzabad with the Nabob in January?

A. I went in Consequence of the Nabob's Requisition, and Mr. Hastings's Order, to be present at seizing the Treasures; and to assist the Nabob, if necessary, in wresting from his Mother the Treasures he considered as the Treasures of his Father.

Q. Was it at that Time you observed a large Body of Men assembled, as you conceived, in order to resist the Execution of that Order?

A. I understood there was a very large Body of Men assembled in the Town, for the Purpose of resisting the Nabob, if he should make any Attempt upon the Begums.

Q. Was it at that Time you understood so?

A. Yes.

Q. To resist any Attempts upon the Begums?

A. Yes.

Q. And, particularly, to resist that Purpose, for which you and the Nabob went to Fyzabad?

A. I am not clear they were informed for what Purpose the Nabob and I went down there, till his Arrival there; upon his Arrival they certainly had a very large Body of Men assembled in the Town.

Q. Was it in order to punish the Begums for that Instance of Resistance, that the Nabob determined to seize their Treasures?

A. I cannot say it was for any immediate Purpose of that Sort: The Nabob had, for a long Time, talked of taking from the Begum the Treasure which she kept from him, and which he considered as his Right. I am very sure there is no Period, during my Residence with him, in which he would not have done it, if he had not considered the Faith of the Company pledged to the Begums, and to stand between him and them.

Q. That is no Answer to the Question. You say, the Nabob and you went down to Fyzabad for the express Purpose of seizing the Treasures: Do you mean that the Resistance to the Execution of that Purpose was the Origin of the Nabob's Purpose to seize the Treasures?

A. Does the Question mean the Resistance to the Act itself?

Q. Yes.

A. No, hardly.

Q. Did you consider the Nabob's Right to the Treasures as remaining in Force upon the 2d of December, notwithstanding the various Treaties and Guarantees which you and others had entered into, to protect the Begums in the Possession of them?

A. My Opinion was then, and is now, as I have often expressed, that the Begum, by the Part she took in the Benares Insurrection, had forfeited every Claim to the Protection of the English Government.

Q. Did you conceal from Mr. Hastings any Arguments which the Nabob urged in Support of his Claim or Right to those Treasures?

A. I did not. I understood the Nabob wrote very fully to Mr. Hastings himself upon this Subject.

Q. Do you not recollect to have stated, as the sole Ground upon which the Nabob proposed to proceed in resuming the Treasures, his Right, under the Laws of the Koran, to seize those Treasures?

A. I cannot say I can recollect the Fact: If the Letter was shewn me, I could.

(a) Vide supra, Page 415, Par. the last.

Then the Letter was shewn to the Witness, and he was asked,

Q. You say, you never concealed from Mr. Hastings any Thing the Nabob communicated to you upon the Subject: Did the Nabob ever mention their Behaviour, as one of the Grounds upon which he meant to take the Treasures?

A. I never made any particular Communications upon that Subject to Mr. Hastings, conceiving the Nabob's Letter would be very full upon it, which he wrote to Mr. Hastings at the Time himself. I have, in my Pocket, a Letter from the Nabob upon the Subject, in the original Persian Language: If your Lordships please, I am ready to submit it. I believe it was written to me at the Time the Nabob wrote to Mr. Hastings upon the Subject; and it does contain, probably, the same Sentiments.

Q. You have said, you delivered in all the Letters you had from the Nabob, or any Body else: If you have concealed any Letter, you have not delivered all the Correspondence?

A. I cannot have stated, that I delivered all the Correspondence I ever had with the Nabob upon that or any other Subject. I dare say, I have some Thousands of Persian Letters, which I could not have thought necessary to deliver to the Honourable the House of Commons. I have a large Chest of them.

Q. Whether you had, or had not, any Conversation, at the Time you wrote the Letter of the 2d December, with the Nabob, upon the supposed Misconduct of the Begums?

A. I have no Doubt I had; but I cannot recollect all the Conversations I had with the Nabob, either upon that or any other Subject.

Q. Did you not afterwards, under the Instructions of Mr. Hastings, proceed to the Resumption of the Jaghires, after you had seized the Treasures?

A. They were resumed by the Nabob, after the Treasures were seized, most certainly.

Q. Did you take any Share in that Resumption?

A. I was doing more than what has been represented; after the Nabob issued his own Purwannahs, which were of course enforced.

Q. Do you mean to swear, that this Measure, from Beginning to End, was wholly against the Inclination, and by Compulsion?

A. The Nabob did make Objections to it, as appears by the Letters that have been written, very strong Objections to it; and did maintain, at the Time, that it was an Act of Compulsion. I would wish to submit to your Lordships my Opinion upon that Subject. His Objections I never conceived to be to resuming the Jaghires of his Mother and Grandmother: I must make the same Observation with respect to that as I did to the seizing the Treasures, that I am very sure there was no Period, during my Residence, at which he would not have done that also; but he would probably have given them an Equivalent. They were a perpetual Cause of Quarrel. He wished to have resumed them, and would have done it, unless we had prevented him—The Objection probably arose from the Resumption of other Jaghires of Persons to whom he was personally attached: That is my Opinion.

Q. You are quite sure that what you have now stated is the Truth. Do you speak this as a Thing that you know and are sure of, or how?

A. I speak it as a Matter of Opinion; my own Belief and Opinion.

Q. Do you mean that your Belief and Opinion was at the Time, and is, that the Nabob would not have resisted the Resumption of the Jaghires of his Mother and Grandmother, if he could have spared the Jaghires of his Favourites?

A. I am very clear of that Opinion.

Q. Was you so always?

A. I always was so, and am at this Moment.

Q. The Managers find themselves under some Degree of Difficulty upon that Answer; for you have certainly sworn directly contrary upon your last Examination?

A. I recollect what I said upon my last Examination: I said the Objection arose upon the Resumption of the Begums Jaghires, no other were then mentioned; but the Nabob was afterwards informed the Whole would be resumed, Orderlies and all.

Then the following Questions and Answers in the Examination of the Witness, on Thursday, May the 1st, were read over by the Clerk (a).

Q. Whether the Nabob's Complaints were or were not confined to this Article of the Treaty respecting the Resumption of the Jaghires?

(a) Vide supra, Page 618.

A. They

A. They were made upon that Occasion, and I believe were confined, as far as I recollect, to the Subject of resuming the Jaghires.

Q. Can you or not recollect, whether Part of that Objection did not expressly point to the Resumption of his Mother's Jaghires?

A. It is very possible it might; it was the most considerable, and the first Jaghire that was brought under Discussion.

Then the Second Article of the Treaty of Chunar was read, as follows:

"Art. 2. That, as great Distress has arisen to the Nabob's Government from the Military Power and Dominion assumed by the Jagheerders, he be permitted to resume such as he may find necessary; with a Reserve, that all such, for the Amount of whose Jagheers the Company are Guarantees, shall, in case of the Resumption of their Lands, be paid the Amount of their net Collections, through the Resident, in ready Money." (a)

Then the following Question was put to the Witnesses:

Q. (*By the Managers*). Whether the Ground of the Nabob's Complaint was not, that Mr. Hastings endeavoured to compel him to resume such Jaghires as he, Mr. Hastings, and not the Nabob, thought proper?

A. It was, that Mr. Hastings compelled him to make a general Resumption, instead of making it particular.

Then the Managers for the Commons desired a Passage might be read from Mr. Hastings's Defence at the Bar of the House of Commons.

Read, the following Extract from the MS. beginning at Page 237 of the

"When the Nabob so earnestly desired my Sanction for the Resumption of the Jaghires, I certainly had in View only the Begums, and a few others of Magnitude, which he expected to be protected either by the Guarantee, or Favour of the Company. He could not be supposed to have intended the Resumption of Grants in which the Company's Faith was by no Means concerned; but being aware that his Excellency intended a partial Resumption, reserving the Jaghires for his particular Favourites, who, from their Character and Conduct, ought to be the first proscribed, I determined to defeat the Design, by advising him to make the Resumption general; and he engaged to follow my Advice. The Consequence of this, his Excellency did not, at that Time, advert to; but when he discovered, that by the Spirit of the Agreement, and my determined Adherence to it, he was precluded from shewing any Partiality; and moreover, that the Produce of the Jagheers, when resumed, instead of coming immediately into his Possession, was to be appropriated to the Liquidation of his Debt to the Company, for which I expressly stipulated, he became indifferent, and even apparently averse to the Resumption." (b)

Q. (*by the Counsel*). Whether the Point of the Nabob's Complaint was not to the Resumption of the Jaghires of his Orderlies, and not those of the Begums?

A. Not particularly; I do not recollect he expressed any in particular; but it was my Opinion it related to the Jaghires of those Orderlies.

Q. (*by the Managers*). Whether in that Conversation he did, or did not, expressly object to the Resumption of his Mother's Jaghires?

A. I believe he objected to the Measure altogether.

Q. Can you or not recollect whether Part of that Objection did not expressly point to the Resumption of his Mother's Jaghires?

A. It is very possible it might; that was the most considerable, and the first Jaghire that was brought under Discussion.

Q. Did he, or did he not; or do you recollect any Thing about it?

A. I recollect his Objection was general; possibly the Objection was made upon the Proposal to resume the Begum's Jaghires.

Q. (*by a Lord*). Upon Recollection, whether it was pointed to the Resumption of his Mother's Jaghire?

A. I believe I have said, that it was proposed to resume the Mother's Jaghire; that was the principal one, and upon that it arose.

The Managers for the Commons being asked if they had any other Question to put upon that, acquainted the House they did not wish for any further Explanation, unless the Witness chose to go into an Explanation.

(a) Vide Appendix to the Benares Narrative, P. 4; & *supra*, P. 139.

(b) Vide *supra*, P. 416, Par. 2.

A. If I have not expressed myself as I ought to have done upon that Occasion, I hope your Lordships will now give me Leave, to declare what my Intention was; I thought I had expressed it: it was, that the Question of resuming the Jaghires arose upon the Begum's, most certainly. I do not remember that at that Time any others were mentioned, but the Nabob was informed the Resumptions were to be general, and not partial.

Q. Was the Nabob informed that the Resumption was to be general?

A. If I have not said so all along, I must have lost my Senses; for I meant to say, the Nabob was informed from the first he was not to make a partial Selection, and resume such as he thought proper, but that the Resumption was to be general.

Q. Do you recollect the Second Article of the Treaty of Chunar?

A. I cannot say I do.

Read, the Second Article of the Treaty of Chunar, from the Appendix to the Benares Narrative, Page 4.

"ad. That as great Distress has arisen to the Nabob's Government from the military Power and Dominion assumed by the Jagheerdars, he be permitted to resume such as he may find necessary, with a Reserve that all such, for the Amount of whose Jagheers the Company are Guarantees, shall, in case of the Resumption of their Lands, be paid the Amount of their net Collections, through the Resident, in ready Money (a)."

Then the Witness was asked,

Q. When was the Nabob first told, that that Article of the Treaty was not to be perfectly observed?

A. I do not know, he was ever told it was not to be perfectly observed.

Q. When was he told that the Expectation formed was, that he should resume all the Jaghires?

A. From the Information I had of that was, I believe, from Sir Elijah Impey: to the best of my recollection, that was the first Communication I had that the Whole of the Jaghires were to be resumed, that the Whole of the Treaty was to be enforced.

Q. Whether you do not consider such Communication made to the Nabob to import that the Second Article of the Treaty was not to be observed?

A. No.

Q. Do you then understand that by the Words of the Treaty, which stipulated that such Jaghires were to be resumed as the Vizier thought fit, it was understood to comprise all, whether he thought them fit or not?

A. I would rather with Mr. Hastings himself should explain that Article of the Treaty; I cannot say; but it is a Matter of Opinion, if I offer any Thing upon it.

Q. Did you conceive, when it was proposed to the Nabob that he should resume all the Jaghires, that Proposition was conformable to this Article which says, such shall be resumed as he thinks fit?

A. Upon the Face of it, it appears to be irreconcilable.

Q. Then, in what Sense was it you said that the Treaty was to be rigidly executed?

A. That all the Jaghires were to be resumed.

Q. That you just now said was irreconcilable upon the Face of the Treaty—Did you understand that, conformable to that Treaty, Mr. Hastings was at Liberty to say what he thought fit, instead of what the Nabob thought fit?

A. No, I did not, certainly.

Q. Then, what did you conceive to be the Inducement to the Nabob to be more anxious to resume the Jaghires of his Mother and Grandmother, than those of any other Person?

A. No other Reason than because he was much more attached to those other Persons than he was to his Mother and Grandmother, if I may judge from his general Conduct.

Q. What Advantage of any Sort could the Nabob propose to himself, by resuming the Jaghires of his Mother and Grandmother?

A. One Advantage is very obvious, he would derive an Addition to his Resources; the other was, that he would remove what had long been a Cause of Misunderstanding between him and his Mother and Grandmother.

Q. You say he was to have an Addition to his Resources; was it not stipulated in the same Article of the same Treaty, that the Begums should receive, through the Hands of the Resident, the net Collection of their Jaghires in ready Money; do you recollect the Article?

A. I recollect it.

(a) Vide Appendix to the Benares Narrative, P. 4; & supra, P. 139.

Q. Was it so stipulated?

A. That was the Stipulation.

Q. Was it intended to violate that Part of the Condition in Favour of the Begums at the Time of the Treaty, as well as the Stipulation in Favour of the Will of the Nabob?

A. I do not know.

Q. Then by what Means, if the Nabob was to furnish from his own Revenues, the net Amount of the Begums Jaghires, was he to encrease his Resources by seizing the Begums Jaghires?

A. The Jaghires were certainly to a much greater Amount than what they had been rated at to the Begums.

Q. But the Question is, as to the net Amount of what they received—Suppose they were rated to the Begums at a different Rate than what they went for, if he was to pay the net Amount of the Collections to the Begums, how was he to be benefited in point of Resources, by taking them into his own Hands?

A. It was only to the Bow Begum he was to pay the net Collection. The Bow Begum only was the Person secured by the Favour of the Company.

Q. How do you answer with respect to her—What Benefit was he to receive in case of her Jaghires being seized, if he was to pay the Whole of the net Collections afterwards?

A. No absolute Benefit that I know of: But, as I said before, he by that Means destroyed the Source of the Misunderstanding between him and his Mother: The Jaghires were given into the Management of the Eunuchs.

Q. You were understood to say, he would be benefited in Two Respects; the One in respect of the Resources, the other in the Convenience of having the Administration in his own Hands—What Benefit, in respect of Resources, was he to receive under the Contract to pay the net Amount of the Collection she had received upon it before?

A. Certainly, no immediate Advantage that I know of.

Q. Then that was not One of his Inducements?

A. It is impossible for me to say what his Inducement was. I am certain he always intended to resume the Jaghires; but what his Inducements were, I cannot take upon me to say.

Q. You said, the Increase of the Resources was One of them; Do you mean, upon Consideration, to say the same Thing?

A. No; I do not see how he could immediately increase his Resources, if he meant to pay an Equivalent in Money, according to the net Collections, which I believe was his Intention to do.

Q. Whether you mean to swear, that neither the Nabob, or his Ministers, had any Reluctance to interfere with the Concerns of the Bow Begum?

A. I do not know they had; the Minister probably would not have liked to have interfered openly in it.

Q. Then why did you write Word to Mr. Hastings, that the Reluctance of the Minister, and even of the Nabob himself, to interfere in the Affair of the Begum, was the Ground of the Opposition that was made, and of the Difficulty there was, in seizing the Treasures?

Read, the following Extract of a Consultation of the 12th June 1783, from Book 82, already delivered in.

“ Fort William, 12th June 1783.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheler, }
John Macpherson, } Esquires.
John Stables, }

“ Extract of a Letter from Mr. Middleton to the Governor General, dated, Lucknow, the 27th December 1781.

“ This Measure—the Utility, and I may say the absolute Necessity whereof, will not be disputed by any one who has had an Opportunity of observing the Conduct of the Jagheerdars in general, and particularly some whose Incomes enabled them to maintain Armies, not only superior to those of the Aumils of the Country (who should properly be a Check upon them), but even sufficient to resist the Force of the State itself—has met with violent Opposition from the Bhow Begum, who falls particularly under the last Description, and whose Power is rendered the more pernicious and dangerous; first, from its being wholly delegated to her Servants, who have their own Views of Ambition and Interest to answer; and, in the next Place, from the Reluctance with which the Ministers, and even the Nabob himself, interfere with any Concerns of the Begum.

(Signed)

“ Nath. Middleton,
Resident at the Vizier's Court (a).”

Then the following Question and Answer were read by the Clerk (a) :

Q. Whether you mean to swear, that neither the Nabob nor his Minister had any Reluctance to interfere with the Concerns of the Bhow Begum ?

A. I do not know they had ; the Minister probably would not have liked to interfere openly in it.

Then the following Question was put to the Witness :

Q. Did you at any, and what Time, observe a Reluctance in the Nabob, or his Minister, to interfere with the Resumption of the Jaghires of the Bhow Begum ?

A. I have said, the Minister, I think, was rather averse to interfere in the Concerns of the Begums.

Q. But was the Nabob himself ?

A. The Nabob himself, conceiving the Begum was particularly protected by the English, certainly, upon all Occasions, avoided as much as possible interfering with the Begum's Concerns.

Q. But, after the Treaty of Chunar, when the Nabob was made sensible the Protection of the English was taken away, what was your Opinion as to the Reluctance of the Nabob to interfere with the Concerns of the Bhow Begum, in respect of the Resumption of the Jaghires ?

A. I cannot say I recollect, after that, any declared Objection to interfering ; any Opposition to it.

Q. Then why did you write to Mr. Hastings that there was ? How do you reconcile that Passage in your Letter to Mr. Hastings, with there being no Reluctance in the Nabob to interfere with the Begums ?

A. That Part of my Letter will refer more properly to Time past, than to any Thing that was to be feared ; it was a general Observation upon the Reluctance that the Nabob and his Ministers had to interfere with the Concerns of the Begums, or, in short, to giving them any Offence.

Q. You observed that Reluctance to be the prevailing Character of the Nabob and his Ministers in respect to the Bhow Begum, why have you sworn, that you thought they were always ready to resume those Jaghires ?

A. I am not certain, I conceived they would always have been ready to have done it ; and by a Reference to my Correspondence with the Board, your Lordships will find it was a Fact, and that it was as much as the Resident could do to prevent the Nabob attacking their Jaghires.

Q. Then in what Instance, and in what Respect, is it that you describe either the Nabob, or the Ministers, to have been reluctant ?

A. In interfering upon ordinary Occasions.

Then the Passage of the Letter, read supra, P. 713, was again read to the Witness, and the following Question was put to him :

Q. In what Instance, and for what Reason, is it you suppose them to have been reluctant in interfering in the Concerns of the Begums, more particularly in the Resumption of the Jaghires, when you say, at the same Time, they always were disposed and ready to enter into the Measure of the Resumption ?

A. I must observe, that the Passage does not apply to the Resumption of the Jaghires, but to the Conduct of the Begums, previous to the Treaty of Chunar ?

Q. Whether, after they had seized the Treasures, the Nabob did not immediately propose to restore the Jaghires to his Mother—her Jaghire, and no other ?

A. I do not recollect : if I have said so, I wish the Letter to be read.

Then the following Letter from the Nabob Vizier to Mr. Hastings, of the 25th February 1782, was read, from Book 105, already delivered in :

“ From the Nawab Vizier.

“ (Received 25th February 1782.)

“ You performed, on every Occasion, towards me, whatever was becoming of Friendship. I, too, have done whatever Affection required and you commanded ; and, in future also, whatever be your Pleasure, there shall be no Deviation therefrom ; because, whatever you direct, is altogether for my Benefit. The Business for which I came to Fyzabad, is become settled by your Favour. Particulars will become known to your Wisdom, from the Writings of Mr. Middleton. I am grateful for your Favours. If in these Matters you sincerely approve me, communicate it ;

(a) Vide supra, Page 713.

for it will be a Comfort to me. Having appointed my own Aumils to the Jagheers of the Lady Mother, I have engaged to pay her Cash. She has complied with my Views: Her Pleasure is, that after receiving an Engagement, he should deliver up the Jagheers. What is your Pleasure on this Matter?—If you command, it will comfort the Lady Mother giving her back the Jageer, after I have obtained my Views; or I will have it under my own Aumils. I am obedient to your Pleasure.”

Then the Witnesses was asked;

Q. Do you recollect that Letter?

A. No; I do not recollect it.

Q. Do you not recollect to have received Instructions from Mr. Hastings, to oppose the Restitution of the Jaghires subsequent to that Letter?

A. I recollect to have received general Instructions from Mr. Hastings, to prevent any Settlement between the Nabob and the Begum, until I should receive Instructions from the Governor General and Council. I do not recollect there was any Thing expressed respecting the Jaghires.

Q. After seizing the Treasures and the Jaghires, did you ever cause to be paid the Equivalent stipulated to the Begum for her Jaghires?

A. No, I did not: The Reason was, that the Sum which the Begum agreed to pay to the Nabob, was never completely paid up; at least it was not when I left Lucknow.

Q. Did you not actually mortgage those Jaghires, after you had seized the Treasure, and while you had a Security from the Begum's Ministers for the small remaining Balance?

A. The Jaghires, I believe, were mortgaged, but the Sum that remained in Balance at the time I left Lucknow was about Five Lacks of Rupees.

Q. Upon this Subject of the Nabob's Disposition of resuming his Mother's Jaghires, I would ask, whether you ever informed Mr. Hastings it was with unconquerable Resistance that the Nabob had ever given his Consent to the Measure?

A. I in general informed Mr. Hastings of the Objections the Nabob made to the Resumption of the Jaghires. I must beg to refer to the Letter for what I have said.

Q. If you have not a perfect Recollection of it, I would ask you upon what Ground Mr. Hastings afterwards in his Letter to Mr. Bristow makes this Assertion, and quotes it as the Resident's Authority, in his Letter to Major Palmer of the 6th of May 1782. ‘It has been a Matter of equal Concern and Surprise to me, to learn by the Letters of the Resident, that the Nabob Vizier was with Difficulty and an almost unconquerable Reluctance, induced to give his Consent to the Attachment of the Treasures deposited by his Father, and under the Charge of the Begum his Mother, and to the Resumption of her Jaghire.’ Can you explain upon what Ground it is Mr. Hastings quotes your Letter for that Information, supposing you not to have seen it?

A. I conceive Mr. Hastings must have quoted the Letter I wrote to him upon the Nabob's Objection to the Resumption of the Jaghires, but I do not apprehend he could have quoted any Authority of mine, for any supposed Reluctance in the Nabob to seizing the Treasures.

Q. Does no Passage in your Letter to Mr. Hastings express the Reluctance of the Nabob to those Two Measures.

A. To the Resumption of the Jaghires certainly repeatedly, but I do not recollect to the seizing of the Treasures.

Q. What did you mean by this Expression, in your Letter of the 7th of December 1781, ‘His Excellency talks of going to Fyzabad for the Purpose heretofore mentioned, in Three or Four Days. I wish he may be serious in that Intention, and you may be assured I shall spare no Pains to keep him to it.’ Did you mean by that Passage to lead Mr. Hastings to understand, that the Nabob was not extremely willing that the Treasure should be seized?

A. It is impossible for me to say, what Mr. Hastings understood by that Passage. My Meaning was this, that the Nabob had no Consistency either of publick or private Conduct; and I thought it very possible, though it was a Measure of his own suggesting, that he might after all not put it in Execution in the Manner he declared to me.

Q. Did you think it necessary to take Pains to keep the Nabob to a Resolution to which he was himself inclined, and to which he never shewed any Reluctance?

A. Certainly I did not: I did not conceive the Expressions go to that; I only meant to allude to the Inconsistency and Inconstancy of the Nabob's Conduct and Character.

Q. Did you inform Sir Elijah Impey “that the Nabob's Ministers had supported you nobly in both those Transactions, against the Nabob's Inclinations?”

The

The Counsel for the Defendant objected to the Question, as the Letter would speak for itself.

The Managers for the Commons waived the Question.

Then the Witness was asked,

Q. Whether you did not procure Khelauts, or Robes of Honour, for the Ministers, from Mr. Hastings, upon Account of the Support they had given you?

A. I do recollect making Representations of the Nature stated, and I believe the Consequence was, as has been stated, that they did get Khelauts from Mr. Hastings, as far as my Recollection goes.

Q. Whether, during those Transactions respecting the Jagheers and the seizing the Treasures, you had not a Correspondence with the Bow Begum?

A. I had no Correspondence with the Bow Begum, after the Nabob went to Fyzabad for the Purpose of seizing the Treasure; before that, I had upon the Subject of resuming the Jaghires.

Q. Did you, in any of those Letters, or by any other Means, ever hint, in the slightest way, to the Begums, that there was any Doubt or Suspicion concerning their Behaviour to the English or to the Nabob?

A. I do not recollect that I did.

Q. Did you not, on the contrary, assure them, that no Injury was intended them, and that they would be paid a full Equivalent for the Resumption of their Jaghires?

A. I certainly acquainted them it was the Intention of the Nabob to allow them the full Equivalent Resumption of their Jaghires.

Q. Did you ever understand that the Nabob had ever given any Hint, or made any Communication to the Begums, respecting their supposed Misconduct to the English or himself?

A. I do not know that he did.

Q. Did you, at the Bow Begum, upon her first hearing of the Intention to attack her Jaghires, apply to her for Protection?

A. The Correspondence between me and the Bow Begum is upon Record. I could wish to refer to it, rather than that my Memory should be trusted to.

Q. Have you any Memory, whether the Bow Begum applied to you for Protection in case her Jaghire should be attacked?

A. I believe she did: I cannot say in what Terms; but she certainly wrote to me upon first hearing the Intention to resume her Jaghires.

Q. Did it not come within your Knowledge, that, to the very last Moment of seizing the Treasures, she looked to the English for Protection against the Resumption of her Jaghires?

A. It was my Opinion, that she did expect that the Measure of seizing the Treasures, would not be carried into Execution, but be prevented by the English.

Q. Did she, at that Time, expect she should also be defended in the Possession of her Jaghires?

A. I should hardly think she did, because I sent her word very positively by Letter, that the Nabob was resolved to resume the Jaghires, giving her an Equivalent for it.

Q. Down to the Time of her receiving that Information from you, did she look up to the English for Protection against her Jaghires being seized?

A. I have no Doubt she did, from the Tenor of her Letters to me upon the Subject.

Q. Do you know whether she did, or did not, ever apply to Mr. Hastings for his Protection, after she failed in her Expectations from you?

A. I do not know; I do not mean to evade the Question, but I do not know.

Q. Did you not, upon the Morning or Day before the seizing the Treasures, send a Letter to the Begum from Mr. Hastings?

A. I sent in a Letter from Mr. Hastings to the Begum, during the Time of my being at Fyzabad for the Purpose of seizing the Treasures; I cannot say exactly the Day.

Q. Have you any Copy of that Letter?

A. I have not, I never saw a Copy of it.

Q. From whom did you receive it?

A. I either received it from Mr. Hastings himself, or Major Davy, his Persian Interpreter; it was sent to me from Mr. Hastings, either from Benares or Chunar, to be delivered to the Begums.

Read,

Read, the following Extract of Mr. Middleton's Defence, from Book 80, already delivered in, beginning at Page 81 of the same Book.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President.
Edward Wheler, } Esquires.
John Stables, }
Mr. Macpherson indisposed.

“ At a Court; where no Opportunity is lost to throw Odium upon us, so favourable an Occasion was not missed to persuade the Nabob, that we instigated him to dishonour his Family for our Benefit. The Impressions made by such Suggestions constantly retarded the Progress, and more than once actually broke off the Business, which rendered the utmost Caution on my Part necessary, especially as I had no Assistance to expect from the Ministers, who could not openly move in the Business.”

Then the following Question was put to the Witnesses :

Q. The Business here referred to is the seizing the Treasures : What do you mean by “ Impressions made by such Suggestions constantly retarded the Progress, and more than once actually broke off the Business ? ” Do you remember that Passage in your Defence ?

A. I do, and it alludes to the Suggestions of the People about the Nabob, who were not well disposed to us ; I mean, not well disposed to the English, and who endeavoured to make these Impressions upon his Mind.

Q. By what Means had it that Operation : how did it actually more than once break off the Business ?

A. The Nabob would not go on with it.

Q. Then, owing to those false and improper Suggestions, the Nabob did express upon that Subject ?

A. Not to me, but I understood from the Ministers, those were the Suggestions of about him, and it was very difficult for him to manage the Business.

Q. Do you remember, whether the Business was or not broke off more than once ?

A. I understood, from the Minister, that the Nabob did make Objections more than once to carrying on the Business.

Q. Is that what you meant, by breaking off the Business ?

A. Yes.

Q. Then do you or not now, upon hearing this, know there was a considerable Degree of Reluctance upon the Part of the Nabob ?

A. I understood so from the Ministers.

Then the House adjourned to the Chamber of Parliament.

Die Jovis, 8° Maij 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor informed the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons stated, That not being immediately prepared to pursue their Examination of Mr. Middleton, which had been left unfinished the preceding Day, they requested Permission of the House to introduce some further written Evidence, till such Time as they were ready to proceed with the Oral Testimony.

The same was agreed to.

Then the Managers for the Commons acquainted the House, they would present, proceed to prove the Negative of Mr. Hastings's First Charge Begums, in which he accused them of exciting the Jagheerdars of the Nabobance.

For this Purpose they would first read, Part of a Letter from Sir Elijah Impey to Mr. Middleton, dated the 1st December 1781, which was One of those Sir Elijah Impey, in his Evidence (a) at the Bar of the House, had stated himself to have written under the Directions of Mr. Hastings, and to have delivered in at the Bar of the House of Commons: That there were some Blanks and Initials in these Letters, which had been filled up by Sir Elijah Impey there; and some of them were in his Hand-writing, but without Signatures; and if the Counsel for the Defendant had any Doubts upon the Subject of their being read, they would call Sir Elijah Impey himself to authenticate them, in the usual Course.

The Counsel for the Defendant said, they were apprized of the Letters which were entered on the Minutes of the Evidence in the House of Commons, and would waive any Objection to their being read.

The Managers for the Commons stated, they particularly relied on a Part of the Letter about to be produced, which was a Copy delivered in by Sir Elijah Impey as above mentioned, and should not trouble the House with the rest.

The Counsel desired the whole Letter might be read.

The same was delivered in.

Read, a Letter from Sir Elijah Impey to Mr. Middleton, dated Chunargur, 1st December 1781.

[" Dear Middleton,

Chunargur, 1st December 1781.

" Not knowing whether I am Time enough for the Dawke, you must excuse my not acknowledging, as I ought, the Obligations I am under to you and Mrs. Middleton, for the kind Attention I received at Lucknow, and permit [me] to proceed immediately to Business, which I shall do by running over the Memorandum which you delivered to me.

" With regard * Fayzullah Cawn, the Events which have happened since your last Instructions from the Governor, have not altered the Governor's Intentions. He must not be attacked. Mr. Hastings approves the Subsidy for a regular military Establishment, so that the Forces raised be not kept in Fayzullah's Country, but stationed at Cawnpore, Illiabad, or any

* Sic in Orig.

other Place not higher, [which] the Governor shall appoint; to be nevertheless ready on Demand for the Protection of Fayzullah's Country.

"What we talked of concerning the Begums he highly approves, and would have himself advised; he wishes it to be done immediately: I need not mention the Necessity of taking care that the Money be applied to the Company's Use.]

§ " (I did all I could in the Business of the Nabob of Furruckabad, and of Ismael Beg; I stated the Debt due to the Vizier from Muzzafur Jung, and the certain Loss of it, if the Power of recovering it was taken out of the Vizier's Hands. I found he was extremely displeased that Almaus was sent there, and is immovable in his Resolution that he shall be recalled instantly. The Vaukeel had taken his Leave of Mr. Hastings. All that I could effect, was the Governor's Promise to send for the Vaukeel and tell him, that all that is due to the Vizier must be punctually paid. Mr. Hastings says, he will send a Person to Furruckabad, who shall see the Balance paid. I solicited this the more strenuously, because I had formerly, at the Desire of Bathurst, introduced the Vaukeel of the Nabob to the Governor.

"I am convinced, that delaying the giving the Governor Satisfaction in this Point, will only irritate him. He considers the appointing a Suffauwull a Breach of his Orders.

"Ismael Beg, he has been told, and is inclined to believe, was arrested to prevent him getting Access to the Governor; he considers his own personal Dignity and Influence interested, and peremptorily requires, either that he be released immediately, or a fair Account be taken; he will, if it cannot otherwise be done, send a Person to take the Account: This operates in his Mind to the Prejudice of the Ministers, as much as if the Fact was actually true. I know how disagreeable an Interference of this Nature must be to you and the Ministers, and therefore much wish you will contrive to make that your own Act, which will otherwise most certainly become the Act of the Governor. In both these Points, he is and will remain peremptory. He has wrote [unclear] Board, and says, he will not undo what he has done.

"The Governor in the same Temper with regard to you and Johnson, which he was in [unclear] him; he really wishes you to remain in Office at present, and for another Year.

"Put [unclear] of Governor finds Acquiescence in the two Points I have mentioned, and he hears within [unclear] says which you promised, that the Vizier's Agreement is beginning to be vigorously put in [unclear] on, and has your Assurance for the Completion, I think the Governor will not go to [unclear] Lucknow; otherwise he most certainly will. He says he will see the Five Days expired before he takes his Resolution. You will remember that I as well as yourself am pledged for the Performance of the Agreement; perform it for my Sake, for your Sake, and the Governor's; he will then soon return to Calcutta, where he [is much wanted.]" (a)

Read, from Book 82, already delivered in, a Letter from Mr. Middleton to the Governor General, dated Lucknow, the 2d December 1781, in a Consultation of the 12th June 1783, beginning at Page 108 of the same Book.

"Fort William, the 12th June 1783.

"At a Council; Present,

"The Honourable Warren Hastings, Governor General, President;

Edward Wheler,	} Esquires.
John Macpherson,	
John Stables,	

"Letter from Mr. Middleton to Warren Hastings Esquire.

"To the Honourable Warren Hastings:

"My Dear Sir,

Lucknow, the 2d December 1781.

"I had Yesterday the Honour of informing you of the Message I sent to the Nabob thro' the Minister, respecting the Jagheers, to which his Excellency this Morning returned me a Reply, purporting that if the Measure proposed was intended to procure the Payment of his Balance due to the Company, he could better and more expeditiously effect that Object, by taking from his Mother what she is very able to spare, and what he has an undoubted Right, as he conceives, to exact from her. The present Debt to the Company, as he with Truth observes, is a great Part handed down from his Father, and the Funds from which he might have been enabled to liquidate it, it is notorious were withheld from him by the Begum on the late Nabob's Death: That, according to the Laws of the Koran, and the invariable Custom of the Country, he is justly entitled to the whole Estate and Treasures of his Father, and could legally demand their being put in his Possession; but that the Sum he desires to take from his Mother (about 60 Lacks) bears no Sort of Proportion to the immense Wealth which fell into her Hands on the Death of his Father; nor would it bear at all hard upon her, as he knows how much her Treasures exceed that Sum. All therefore that he asks is, not to be interrupted in recovering a Part of his hereditary Right, by which he will be enabled to discharge immediately the Whole of his Debt to the Company.

(a) N. B. No Signature.

"This,

" This, my dear Sir, is a flattering Proposition, and as to the Point of Right, admitting it to be less clear and defined than the Nabob chuses to consider it, you may possibly be of Opinion, that the Conduct of the Begums on the late Disturbances at Benares, as set forth in the several Testimonies laid before you, has forfeited any Claim they might originally have had to the Protection and Mediation of the Company; and further, that it may not be political, or yet perfectly safe, to trust them any longer with such powerful Means of promoting an Opposition to our Interests.

" For my own Part, I am so well persuaded of the Disaffection of the Begums, particularly the present Nabob's Mother, to our Cause, and of their Promptitude to unite in any Measure to distress us, that I could very easily reconcile it to my Conscience to assist the Nabob, instead of obstructing him, in wresting from them every Benefit they enjoy beyond a decent Maintenance. However, this is only my own Opinion, and by no Means meant to influence yours. The Nabob writes you himself on this Subject, and you have his Letter inclosed. Neither he nor I expect that you should give a formal Sanction to the Measure proposed; it will be sufficient that you but hint your Opinion upon it, and enable me to inform his Excellency whether you would or would not oppose his Design. Let me entreat you therefore, my dear Sir, to favour me with a Line, by the Return of the Dak, and if your Sentiments should happen to accord with my own, I doubt not but I should be able to congratulate you in a very short Space of Time, upon the Remittance of a handsome Sum to the Presidency.

" I am, &c.

(Signed) Nathaniel Middleton.

P. S. Whatever may be your Resolution upon the Subject of this Letter, it will be expedient to keep it secret. The Resumption of the Jagheers it is necessary to suspend, until I have your Sentiments on this Letter." (a)

The Managers for the Commons acquainted the House, they would Extract from another of the Letters delivered in by Sir Elijah Impey at the House of Commons, dated 5th December 1781, which appeared to be Mr. Middleton's Answer to Sir Elijah Impey's Letter of the 1st of that Month.

The same was delivered in.

Read, the following Extract of a Letter from Mr. Middleton to Sir Elijah Impey, dated Lucknow, the 5th December 1781, and signed Nathaniel Middleton.

Lucknow, the 5th December 1781.

" The Measure respecting the Begums, and the Resumption of the Jagheers, will be instantly adopted. The latter has only been suspended for the Governor's Sentiments on the former, as the Jagheers of the Begums and their Dependents are the most considerable; and to have attacked them, without being prepared at the same Time to enter immediately on the Execution of the grand Design, would have been doing Things by Halves, and possibly have defeated our Expectations. Do not, my dear Sir Elijah, suffer this Delay to be urged, or considered as an Imputation of Blame upon me. I entered on the Business the very Day after you left me, and went so far as to look upon the Matter as finally agreed upon, the actual Execution only suspended until I could receive either your's or the Governor's Sentiments upon the further Proposal, which is certainly of far greater Consequence than the Resumption of the Jagheers, as it will do at one Stroke, if we are not all grossly mistaken, what the Jagheers will be at least Two Years doing. To-morrow Morning I am to be informed of his Excellency's intended Mode of Attack, and shall not fail to acquaint the Governor. In the mean Time, you may be assured, that whatever may be acquired by the Measure, shall be faithfully and wholly applied to the Liquidation of the Company's Debt.

" Sir Elijah Impey.

(At the End)

Nathaniel Middleton." (a)

To prove that, so late as the 27th December 1781, Mr. Middleton treated the Begum's Resistance of the Resumption of the Jagheers as a Thing only intended, or beginning to be executed,

Read, from Book 82, already delivered in, the following Extract of a Letter from Mr. Middleton to the Governor General, in a Consultation of the 12th June 1783.

(a) Vide Appendix, N^o XXXVIII.

(b) Vide Appendix, N^o LXIII.

Secret Dept.
Thursday.

" Fort William, 12th June 1783.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheler, } Esquires.
John Macpherson, }
John Stables, }

" To the Honourable Warren Hastings, Governor General, &c. &c.

" Lucknow, the 27th December 1781.

" Notwithstanding all these Facts, upon the general Resumption of the Jagheers, I made the Rents of her Lands payable to me, under an Engagement of making the Amount good to her, by such Instalments as she might direct; in return for which, I have received Letters from her, containing the most gross Abuse, and the wildest Threats that can be transcribed—Copies of which I have the Honour to enclose.

" Her chief Agent, Bahar Ally Cawn, has marched a considerable Force into Nabob Gunge, one of her Jagheers, declaring, that if any Attempt is made to resume it, he will lay the whole Country of Goonda waste. These declared and repeated Acts of Rebellion, are surely more than sufficient to forfeit all Claim whatever to the Interference, in her Behalf, from our Government; and if some Stop is not immediately put to it, it appears but too certain, that she will light a Flame throughout these Provinces, which, if not difficult to extinguish, will at least put a heavy Bar to the Company's Collections here.

(Signed at the End)

" Nath. Middleton,
Resident at the Vizier's Court." (a)

" The Managers for the Commons stated, they would next read another Letter, with few as the last, from Major Naylor to Mr. Middleton, dated January 1st the same, from Book A, above delivered in, beginning at Page 84 of the same Book.

" To Nathaniel Middleton Esquire, Resident at the Court of the Vizier.

" Sir,

" I have just now the Honour of your Letter of the 30th ultimo; and you may rest assured, that I will pay the strictest Attention thereto.

" I am now at Busty, upwards of Twenty Course from Fyzabad: However, you may depend upon my marching it in Two Days; and be certain that I will be within Two Course of Fyzabad the 3d in the Morning.

" The Aumil is confoundedly distressed at my leaving him so suddenly; but as Currimpurda's, nominated by him for adjusting Nabob Gunge, &c. is with me, he trusts I shall not be many Days away. Accompanying is a Letter from him in Answer to yours.

" I have the Honour to be,

" Camp, near Busty,
January 1st 1782.

Sir,
Your most obedient humble Servant,
(Signed) F. Naylor."

Read, also, from the same Book, another Letter from Major Naylor to Mr. Middleton, dated January 3, 1782, beginning at Page 85 of the same.

" To Nathaniel Middleton Esquire, Resident at the Court of the Vizier.

" Sir,

" I arrived here this Morning, about Two Course and Half Distance from Fyzabad.

" Laulmon Sukal sent along with me a Fouzdar, to take Charge of this Country; and, when I left him Yesterday Morning, recommended to me not to march immediately to Nabob Gunge, but to encamp about this Distance, and write to the Person late in Behalf of the Begum, to relinquish the Possession; and, if he did not, to march and seize it by Force. If my Summons is attended to, I shall remain on my present Ground. * To the contrary, I shall march Tomorrow Morning, at Gun-fire, to Nabob Gunge, which is near Three Course; fix the Fouzdar, and afterwards encamp about Halfway between † and Fyzabad. So that you may be very certain where I am.

* Sic in Orig.

† Sic in Orig.

" I have the Honour to be, Sir,

Your most obedient humble Servant,
(Signed) F. Naylor."

" Camp, Shaw Gunge, Jan. 3, 1782.

(a) Vide Appendix, N° XXXVIII.

The

The Managers for the Commons requested the House to observe, That Nabob Gunge was a Jagheer of the Begums; and stated, they would next read another Letter from Major Naylor to Mr. Middleton, upon the same Subject, which went also to prove the Suppression of a Letter; as Major Naylor there says, "he repeats that every Thing is perfectly quiet;" which must refer to some other Letter, that does not appear.

Read, from the same Book, another Letter from Major Naylor to Mr. Middleton, dated January 5th, 1782, beginning at Page 86 of the same.

" To Nathaniel Middleton Esquire, Resident at the Court of the Vizier.

" Sir,

" I was favoured with yours of the 3d. this Morning, and have the Pleasure to repeat to you every Thing * perfectly quiet in this Purgunah of Nabob Gunge.

* Sic in Orig.

" I have endeavoured, under a Pretence of sending some empty Hackeries across to meet others loaded from Chunar with Stores for my Regiment, to get some Boats on this Side, and am in Expectation of succeeding. However, should you find † necessary for my Regiment to cross (and I should not have succeeded) you must endeavour, on your Arrival, to lend the Boats across. I believe the Begum had some Thoughts of my going to Fyzabad, for as soon as I arrived in the Jagger, she ordered every Boat, large and small, to be secured on the Fyzabad Side ‡ the Gogra, † Sic in Orig. and the First Night I could not get a Boat to cross the Dauke

" I have wrote a Letter, which is waiting for your Arrival at Fyzabad, another I sent to meet you on the Road.

" I have the Honour to be,

Sir,

Your most obedient
humble

(Signed)

Camp between
Nabob Gunge and Fyzabad Gaur,
One Courle and Half Distance.
January 5th 1782.

Read, from Book 105, already delivered in, the following Letter from the Nabob to the Governor General, received 25th February 1782.

" From the Nawab Vizier. Received 25th February 1782.

" You performed, on every Occasion towards me, whatever was becoming of Friendship; I too have done whatever Affection required, and you commanded, and in future also, whatever be your Pleasure, there shall be no Deviation therefrom, because whatever you direct is altogether for my Benefit. The Business, for which I came to Fyzabad, is become settled by your Favour, Particulars will become known to your Wisdom from the Writings of Mr. Middleton. I am grateful for your Favours. If in these Matters you sincerely approve me, communicate it, for it will be a Comfort to me. Having appointed my own Aumils to the Jagheers of the Lady Mother, I have engaged to pay her Cash: She has complied with my Views; her Pleasure is, that after receiving an Engagement, he should deliver up the Jagheers. What is your Pleasure on this Matter? If you command, it will comfort the Lady Mother, giving her back the Jagheer, after I have obtained my Views; or I will have it under my own Aumils. I am obedient to your Pleasure."

Read, from Book 83, already delivered in, Extract of a Letter from the Governor General, to the Governor General and Council, dated, on the Ganges, near Suneegunah, 23d January 1782; in a Consultation of the 5th February 1782.

" Fort William, 5th February 1782.

" At a Council; Present,

" The Honourable Warren Hastings, Esquire, Governor General (who being returned to the Presidency, takes his Seat at the Board),

Edward Wheler, } Esquires.
John Macpherson, }

Sir Eyre Coote on Service in the Carnatic.

" The following Letter from the Governor General, received on the 2d instant, is now recorded:

" Gentlemen,

" I left Benares on the 7th of this Month; the slow Progress which I have made thus far, has been occasioned as much by purposed Delays, as by natural Impediments. I am now decided in my Journey, and compute to be at the Presidency very early in the next Month.

" Since the Suppression of the late Revolt of the Zemendary of Benaris, three distinct Objects have engaged my Attention and Residence in that Quarter, not so much for the Purpose of execut-

ing

ing any determinate Measures requiring my Presence, as for that of being at Hand, and ready for any immediate Occasion which might eventually demand my personal Interposition. These Objects are as follow :

" 1st. The Negotiation with Madajee Scindia. You are already acquainted with my first Instructions to Mr. Anderson, and with the subsequent Orders which I thought it proper to send to him, on the Advice of Mhadagee Scindia's having expressed a Disinclination to admit Mr. Anderson's Deputation, until he should be authorized by Answers to the Letters which he had written to Poonah for that Purpose; and of his having received Cheit Sing into his Protection, with some apparent Marks of Encouragement. A few Days after, I received Letters from both Colonel Muir and Mr. Anderson, advising me, that Mhadagee Scindia had pressinglly invited Mr. Anderson to proceed to him, and that he had rejected the Solicitations of Cheit Sing: On this Occasion, I wrote to Mr. Anderson to prosecute his Journey, and to pay no regard to my former Letter, requiring only the Removal of Cheit Sing from the Presence of Mhadagee Scindia, while Mr. Anderson was with him. In the mean Time, that Gentleman, having conformed to the Substance of my first Orders, had obtained from Mhadagee Scindia a formal Assurance, that he would neither accept the Solicitation of Cheit Sing, nor assist him in any way whatever, and that he would even prohibit him and his Attendants from his Durbar and Cutchirry. Mr. Anderson, satisfied with this Concession, had resolved to proceed to his Camp immediately; his last Letter upon the Subject was private, and dated the 3d Instant, from Bandere, which was about sixteen Cos from Scindia's Camp. It contains Expressions of much Satisfaction, and so firm a Conviction of the Sincerity of that Chief, that he was preparing to send the Notification, directed in my Instructions of the 12th Ultimo, to Colonel Muir, for the Removal of the Troops to the Stations allotted them by the late Arrangements, with a Promise, that he would soon address me publicly on the same Subject.

I have long since relinquished the Design, which I first entertained, of visiting Scindia myself, and I see so fair and earnest a Disposition in him to become the Instrument of terminating the Contest subsisting between his Principals and our Government; his Interest is so evidently connected, and I have so well-grounded a Confidence in the Ability of Mr. Anderson, to conduct the Business, that I doubt whether any Interference might not rather impede than promote it, by the Loss of Time which it necessarily occasion in transmitting the ultimate Proposals to Poonah.

2dly. The Zemeendary of Benaris has hitherto engaged my principal Attention. I had just Grounds to apprehend, that the slightest Causes might occasion fresh Disturbances in that Country from the Novelty and Weakness of the new Administration, and could not therefore venture to leave it until I had seen that Administration firmly established, and until I had formed some Experience of the Ability of the Naib for conducting it. I have the Satisfaction to inform you, that his Authority is every where completely established, and that I have every Reason to hope for the full Performance of his Engagements. The Disposition which I have made of the Forces allotted for the Peace of this Zemeendary is sufficient to answer, with Certainty, every Purpose of internal Defence, and, at the same Time, to prove a Check on the Zemendars of the Dominions of the Nabob Vizier which border upon it, this being the most likely Scene of new Disturbances, from the natural Turbulency of the Nabob's Subjects, and their Collusion with their Neighbours in this Zemeendary. Copies of these Orders, with the other military Orders, which I have thought proper to issue for the Distribution of the Troops of that Station, will be forwarded to you as soon as they can be transcribed, after the Dispatch of this Letter.

" On the Ganges, near Sunegegunar,
23d January 1782.

(At the End) " Warren Hastings."

Read, from Book 82, already delivered in, the following Extract of a Letter from Mr. Middleton to the Governor General, dated the 6th December 1781, beginning at Page 121 of the same Book.

" Fort William, 12th June 1783.

" At a Council; Present,

" The Honourable Warren Hastings, Governor General, President;

Edward Wheeler*,
John Macpherson, } Esquires.
John Stables,

" Extract of a Letter from Mr. Middleton to Mr. Hastings.

Dated 6th December 1781.

" Your Pleasure, respecting the Begums, I have learnt from Sir Elijah; and the Measure heretofore proposed will soon follow the Resumption of the Jagheers, from both, or, indeed, from the former alone, I have no Doubt of the complete Liquidation of the Company's Balance.

" I am, &c.

" Nath. Middleton (a)."

Secret Dept.
Thursday.

* Sic in Orig.

Then the Managers for the Commons desired Mr. Middleton might be called in, for the Purpose of finishing his Examination of Yesterday.

Accordingly, NATHANIEL MIDDLETON Esquire was called in, and the Examination proceeded in, as follows :

Q. Whether you did not consider the English as the principal Movers in the Business of seizing the Treasures ?

A. No, I did not. I had reason to believe that the Country in general did think we were the principal Movers in it.

Q. But you yourself did not ?

A. I did not.

Then the following Passage was read, from Book 81 already delivered in ;—Extract of Mr. Middleton's Defence, in a Consultation of the 28th July 1783, beginning at Page 79 of the same Book.

“ Fort William, 28th July 1783.

“ At a Council ; Present,
The Honourable Warren Hastings, Governor General, President.
Edward Wheler, } Esquires.
John Stables, }
Mr. Macpherfon, indisposed.

Secret Dept.
Monday.

“ The Nabob was Son to the Begum we were to proceed against. A Son against a Mother must at least save Appearances in this Mode of proceeding. The Produce of his Nabob was to be received by the Company.

“ Receiving a Benefit; accompanying the Nabob; withdrawing their Protection. Circumstances sufficient to mark the English as the principal Movers in this Business. Court where no Opportunity is lost to throw Odium upon us, so favourable an Opportunity not missed to persuade the Nabob, that we instigated him to dishonour his Family, for the sake of the Impressions made by such Suggestions, constantly retarded the Progress, and more than Once actually broke off the Business, which rendered the utmost Caution on my Part necessary, especially as I had no Assistance to expect from the Ministers, who could not openly move in the Business. In the East it is well known, that no Man, either by himself or his Troops, can enter the Walls of a Zenana, scarcely in the Case of acting against an open Enemy, much less of an Ally; an Ally acting against his own Mother. The outward Walls, and the Begums Agents, were all that were liable to immediate Attack. They were dealt with, and successfully, as the Event proved; I therefore confidently trust, if it shall appear to the Honourable Board, as it does to me, that the Spirit and main Object of my Orders were strictly adhered to and fulfilled, that they will not longer hold me criminal for a Deviation from the precise Letter of them (a).”

Then the following Question was put to the Witness :

Q. To what Part of the Charge brought against you by Mr. Hastings is this Passage a Reply ?

A. To the best of my Recollection, it was to that of the Delay in executing his Orders respecting the Business of Fyzabad ; to the best of my Recollection ; but I would wish, for Accuracy, to refer to the Charge itself.

Then the Book was shewn to the Witness, who said,

A. It is the Answer to the 5th Article of the Charge.

Q. What did you mean by this Passage, “ receiving a Benefit, accompanying the Nabob, withdrawing their Protection, were Circumstances sufficient to mark the English as the principal Movers in this Business ?”

A. I conceived it was sufficient in the Eyes of the Publick to mark the English as the principal Movers in the Business : That they would conceive an Opinion, from those Circumstances, that the English were the principal Movers in this Business.

Q. Do you not admit, these Circumstances did, in Fact, shew that the English were the principal Movers in this Business ?

A. My Opinion is, that the English were not the principal Movers ; but, at the same Time, I admit, that these Circumstances were sufficient to mark them out so to the Publick.

Q. Whether Mr. Hastings was satisfied with this Answer to the Fifth Article of the Charge ; or whether he declared his Orders were peremptory, and ought to have been obeyed ?

(a) Vide Appendix, N^o XLIII.

The Counsel for the Defendant objected to the Question, the Declaration being in Writing.

Then the Witness was asked,

Q. Do you know of any other Declaration Mr. Hastings has made upon that Subject, but what is contained in Writing?

A. No.

Then the following Extract was read from Book 82, already delivered in, from Consultation of the 12th June 1783, beginning at Page 246 of the same Book.

“ Fort William, 12th June 1783.

“ At a Council; Present,

The Honourable Warren Hastings, Governor General, President;
Edward Wheler, } Esquires.
John Macpherson, }
John Stables, }

“ Letter from Mr. Middleton to Mr. Hastings.

“ To the Honourable Warren Hastings, Governor General, &c.

“ Sir,

“ I have had, this Day, the Honour to receive your Commands of the 25th ultimo; and am extremely concerned that the Mode of conducting the Fayzabad Business, as set forth in my Address of the 18th January, did not meet your entire Approbation. Permit me to assure you, Sir, with the greatest Reluctance I ever venture to deviate from the express Letter of your Instructions. I cannot accuse myself of having done it on any Occasion, where it did not appear to me that the Object and Spirit of them rendered it advisable, and that the apparent Policy would justify such Latitude.

When of recent Instance, it was more in Appearance and Expression than in Fact, that any Order was made from your Order of the 26th December; for although I was constrained, from regard to the Accomplishment of what I considered the first Object of this Undertaking, to admit of a temporary Forbearance, for the Reasons assigned in my Address of the 18th ultimo, the Begums were at that Time to be considered as entirely at the Mercy of the Nabob; their Jagheers were in the Possession of the Aumils, their Troops dispersed, and the Kella of Fayzabad, which included also the Bhow Begum's own Habitation, under the Guard of his Excellency's and our Troops.

“ It remained only to get Possession of her Wealth; and to effect this, it was then, and is still, my firm and unalterable Opinion, that it was indispensibly necessary to employ temporizing Expedients, and to work upon the Hopes and Fears of the Begum herself, and more especially upon those of her principal Agents, through whose Means alone there appeared any probable Chance of our getting Access to the hidden Treasure of the late Vizier; and when I acquaint you, that by far the greatest Part of the Treasure which has been delivered to the Nabob, was taken from the most secret Recesses in the Houses of the Two Eunuchs, whence, of course, it could not have been extracted, without the Adoption of those Means which could induce the Discovery, I shall hope for your Approbation of what I did. I must also observe, that no further Rigour than that which I exerted could have been used against Females in this Country, to whom there can be no Access. The Nabob and Salar Jung were the only Two who could enter the Zenanah: The first was a Son who was to address a Parent, and, of course, could use no Language or Action but that of earnest and reiterated Solicitation; and the other was, in all Appearance, a Traitor to our Cause. Where Force could be employed, it was not spared. The Troops of the Begum were driven away and dispersed; their Guns taken; her Fort, and the outward Walls of her House, seized and occupied by our Troops, at the Nabob's Requisition; and her chief Agents imprisoned and put in Irons: No further Step was left; and in this Situation they still remain, and are to continue (excepting only a Remission of the Irons), until the final Liquidation of the Payment; and, if then you deem it proper, no possible Means of Offence being left in her Hands or those of her Agents, all her Lands and Property having been taken, I mean, with your Sanction, to restore her House and Servants to her; and hope to be favoured with your early Reply, as I expect that a few Days will complete the final Surrender of all that is further expected from the Begum.

“ I have the Honour to be, &c. &c.

“ Nathaniel Middleton,

“ Lucknow, the 5th February 1782.

Resident at the Court of the Vizier.”

Then the following Question was put to the Witness:

Q. What Answer did you receive to this Letter?

A. I do not recollect there was any particular Answer given to it.

Q. Do you consider these Passages in that Letter;—"no further Rigour than that which I exerted could have been used against Females in this Country;"—and the following Passage, "where Force could be employed it was not spared:"—Do you consider these Passages as fulfilling this Direction of Mr. Hastings, "you yourself ought to be personally present; you must not allow any Negotiation or Forbearance, but must prosecute both Services, until the Begums are at the entire Mercy of the Nabob (a)."

A. I did consider them as an Execution of those Orders.

Q. Do you think you could have obtained Possession of the Wealth of the Begums by any milder Means than those, which you did in fact pursue?

A. It was in my Opinion the surer Means of obtaining them.

Q. But could you have obtained them by milder Means, according to your Apprehension of Things?

A. I should apprehend not.

Q. Did you do any Act or Deed relative to this Business, which you did not conceive yourself directed to do by the Letter or Spirit of Mr. Hastings's Instructions?

A. I certainly acted in a Manner that I conceived to be conformable to the general Tendency of Mr. Hastings's Instructions.

Q. Was you not afterwards accused by Mr. Hastings of having fallen short in Point of Rigour, in the Execution of these Orders.

A. I beg to refer to Mr. Hastings's Charge against me for the particular Words of it.

Q. Are you confident that this is an exact Statement, that "no further Rigour than that which I exerted could have been used against Females in this Country;"—that you did use the most Rigour that could be used? Do you think so now?

A. It was my Opinion, that the Rigour that was used, was as much as could be used at that time in that Situation.

Q. Could the Nabob, or his Ministers, have used any Sort of Rigour in that Transaction?

A. They certainly used what was used.

Q. Do you mean, that the Nabob used all the Rigour that was used or could be used by him, or whether it was used by the English without the Nabob?

A. It was by the Nabob's Authority—by the Nabob's Orders.

Q. Then what do you mean by this Passage in the Letter just read to you? "The First was a Son who was to address a Parent, and of course could use no Language or Action but that of earnest and reiterated Solicitation;"—how do you reconcile your present Opinion with that Representation?

A. What I mean by Rigour, was attacking and taking Possession of the Kella which inclosed the Habitation of the Begums. I conceive that no other Force could have been used against them: for instance, that the Troops could not have entered the Zenana, or the private Apartments of the Women, or have taken any other Steps than what they did in seizing the Kella, which included their Apartment; and that being done, I conceived that much of the rest depended upon the Nabob's personal Negotiations with the Begum and her Agents.

Q. Could the Nabob, if left to himself, have used any Language or Action but that of Solicitation?

A. Possibly he might; but I do not think he would have done it. I think Solicitation would have been the Course he would have preferred.

Q. Upon what Account did you state, that the Ministers could not possibly appear at all in the Business?

A. I meant to state, that the Ministers could not openly appear in the Business.

Q. Why not?

A. It is contrary to their Station—not consistent with their Situation, that they should take any open Part in the Business.

Q. Why could they not?

A. They considered the Begums in pretty much the same Light as they did the Nabob himself, with respect to personal Forms.

Q. They had an equal Respect then for the Begums, as they had for the Nabob?

A. They observed the same personal Forms to the Begums, as to the Nabob.

Q. Then, am I to understand you, that it would have been an odious and disgraceful Thing for the Ministers to have interfered?

A. I conceive it would: That they would have thought it so.

Q. The Begums having been charged with being in actual Rebellion against the Nabob, in order to dethrone and destroy him, why should the Nabob and his Ministers have felt it such an extremely odious Business, to deprive them of that Wealth which is stated to have been the Means of supporting the Rebellion?

A. I conceive that is Matter of Opinion.

The Counsel for the Defendant objected, that this was mere Matter of Argument, not Evidence of a Fact.

The Managers for the Commons made Answer, that it was a Question of Fact: That the Witnesses had formerly stated, that the Begums were in actual Rebellion: That the Object of that Rebellion was to dethrone and destroy the Nabob; and now they wanted to know the Circumstances which, in the Witness's Opinion after that Fact was known, did make the Nabob so extremely averse to depriving the Begums of their Wealth.

The House observed, that the Question would then be,

Q. Whether the Circumstance of their being in Rebellion would have dispensed, according to the Witness's Notion of the Ceremonies and Laws observed in that Country, with the personal Respect which the Ministers were otherwise bound to pay the Begums?

A. I do not think it would; but that is mere Matter of Opinion: I believe, if the Ministers were certainly convinced that the Begums were in actual Rebellion, they would still have preserved their personal Respect to them in point of Form.

Q. Do you mean, that the Nabob declared openly his Desire to possess himself of those Treasures?

A. I am very certain the Nabob did, on many Occasions, declare himself desirous of possessing the whole Treasures, which he considered as his own Treasures; he considered them as the property of his Father which had been lodged in the Begums Custody; and he thought he had a Right to the Whole of them.

Q. The Point of the Question is, whether he declared in any Manner which you call an open Manner?

A. He did in Conversation with me.

Q. Who drew the Affidavits which were taken before Sir Elijah Impey, or any of them, that you know of?

A. I can only speak to my own, I drew that; I do not know who drew any of the rest.

Q. Not any of them?

A. Not any of them.

Q. Did you not receive a Letter from Mr. Hastings dated Chunar, 15 November 1781, directing you to superintend the Whole of the Transaction respecting the Affidavits?

The Counsel for the Defendant objected, that the Whole of this Examination was to Matters which are in Writing and upon Record; that the Letter had been produced, and the proper Course would be to read it.

The Managers for the Commons made Answer, there was nothing in Writing to indicate who drew the Affidavits.

The House observed, that the proper Course was to produce the Letter, and examine the Witnesses upon it.

The Managers for the Commons said, the Letter was already in Evidence (a) before the House, and they desired to ask the Witnesses, why he disregarded the Instructions contained in it?

The Witnesses said,

A. I have a perfect Recollection of the Letter.

Q. Then do you mean to say, that you drew up your own Affidavit, but that you interfered no further with respect to the Affidavits of any other Person?

A. I did mean so: The Letter here referred to, is a general Instruction of the Points to which the Affidavits were to go: I recollect communicating that Letter, and reading it to him: I do not know that I communicated it to any Body else; for most of the Officers, who were to make Affidavit before Sir Elijah Impey, belonged to Colonel Hannay's Corps: of Course, he would instruct them as to the Points of the Letter.

(a) Vide supra, Page 630.

Q. Did you give Colonel Hannay a Copy of that Letter?

A. I do not recollect whether I did or not; I rather think I did not, that I only read it to him.

Q. Did you call upon no other Person, nor communicate with any other Person upon this Letter, besides Colonel Hannay?

A. I will not say positively that I did not; but I really do not recollect it, nor do I believe that I did.

Q. This Passage being in the Letter of Instructions, namely:—“ I must therefore request and require of you, in my Name, to call upon Lieutenant Colonel Hannay, Major Macdonald, Captain Williams, and Lieutenant Gordon, and every other Person who may have a personal Knowledge or Understanding of these Facts, or of any others relating to the Rebellion of Cheyt Sing, and its Connections in the Dominions of the Nabob Vizier, severally to depose all that they know and believe concerning the same, either on Oath before Sir Elijah Impey, who will instantly visit Lucknow, chiefly with this Intention, or that they repair to me at this Place for the same Purpose (a);”—Are we to understand, that, excepting Colonel Hannay's Affidavit, and your own, all the others came to Sir Elijah Impey, without any Interference on your Part?

The House observed, the Witness had not said he interfered even with Colonel Hannay's Affidavit, but only that he drew his own Affidavit, and neither knew of, or directed, any other Person.

Q. Do you mean to say, you drew Colonel Hannay's Affidavit?

A. I mean to say, that I only drew my own, and knew nothing of the drawing of any Body's else; not of Colonel Hannay's.

Q. Did you do any Thing, in Consequence of those peremptory Instructions of Mr. Hastings, besides what you have already mentioned, the communicating of them to Colonel Hannay?

A. Not that I recollect: I speak doubtfully of communicating it to any others; I communicated it to Mr. Johnson, my Assistant; but I do not recollect I communicated it to any other Body.

Q. Be positive, if you can, in your Recollection upon this Subject:—Do you mean to say, that you do not know who drew up, or settled, any of the Affidavits, except your own?

A. I am very certain of it, as far as a Person can be certain of a Fact at this Distance of Time, that I only drew up my own. If that is not an Answer, I wish the Question may be more pointedly put.

Q. The Question is, not only whether you drew up any other Affidavit; but, whether you know who drew up any of the other Affidavits?

A. I certainly do not; I take it for granted, that the Parties themselves did draw them up, but I cannot speak positively: I know nothing about their Affidavits, or about any Affidavits but my own, which I certainly drew up.

Q. Was it at this Time you delivered back to Colonel Hannay the Letters you had formerly received from him, respecting the Conduct of the Begums?

A. I cannot say that it was exactly at that Time; I do not recollect, but it was certainly at the Time that he was drawing up his Affidavit upon that Business.

Q. Can you inform us, why Colonel Hannay could not depose to Facts which had passed within his own Knowledge, without recurring to the Letters he had formerly written to you?

A. I cannot; it is impossible I can form any Opinion. The Reason Colonel Hannay assigned to me was, he wished to refresh his Memory with what he had written to me in several Letters upon that Subject.

Q. Was that the Whole of what he said upon the Subject?

A. It was the Whole.

Q. Was you present at the taking of any other Affidavit before the Chief Justice, besides your own?

A. I do not recollect that I was; but at the same Time I will admit the Possibility that I might, though I do not recollect it. I visited him very often, and I certainly have often seen those Gentlemen, who made Affidavits, at his House. They might, at some of those Visits, have made Affidavits before him when I was there; but I cannot take upon me to say that was the Case.

Q. Can you give any Reason why the Letters you received from Colonel Hannay do not appear, either upon the Records, or in your own Letter Book?

A. They were private Letters addressed to myself in my private Capacity. I never did enter in my publick Letter Book any Letters of that Sort.

(a) Vide supra, P. 630.

Q. Did not those Letters contain the Whole of the Information you had received to the 19th of October, respecting the Conduct of the Begums, or had you any other Information?

A. It is impossible I can answer that Question positively. I have no Doubt I had other. I have stated what Information I had. I was with Mr. Hastings at Chunar during the greatest Part of those Troubles; and such Information as I did receive I communicated to Mr. Hastings. I cannot say whether Colonel Hannay's Letters contained the whole Information I received.

Q. Did you ever hear Mr. Hastings make any Observation upon the Circumstance of your Letter to him, which contained Extracts of your Correspondence with Colonel Hannay, in consequence of a Letter being dated the 19th of September, in the Narrative, and the 19th of October, in your Letter Book?

A. This is the first Time I ever heard of any Difference in the Dates, consequently I never could have heard Mr. Hastings make any Observations upon it. I never knew till this Moment that there was any Difference in the Dates.

Q. Are you quite positive that the Date in your Letter Book, of the 19th of October, is the right Date?

A. I am sure it could not be the 19th of September, because I was then at Chunar, and have no Doubt but the 19th of October is the right Date.

Q. Can you account for your not having mentioned this Correspondence in the Affidavit you made before Sir Elijah Impey?

A. I can assign no Reason for it; but probably, as Colonel Hannay was going to make an Affidavit to the Subject of those Letters, I might not think it necessary.

Q. In your Affidavit you state, "that you further heard from your own News-writer stationed at Fyzabad, that a Vakeel or Agent from Rajah Cheit Sing had been received at that Place, and was to remain under the Protection of the said Eunuchs; but for what particular Purpose, or the Nature of his Commission or Negotiations, this Deponent has not been able to discover."—who was that News-writer you mention to be stationed at Fyzabad?

A. He was the News Writer on the Part of the Resident; he had been stationed at Fyzabad about three Years; he was there in the Time of Mr. Bristow, my Predecessor; stationed there to receive the Post Letters, and likewise to communicate to the Resident at Lucknow any Intelligence of Consequence that he might learn there.

Q. What was his Name?

A. Hoolas Roy.

Q. Where is the Letter of Hoolas Roy, which contains the Communication you have sworn to have received from him?

A. I really do not know; very possibly it is in the Office at Lucknow.

Q. How comes it not to appear upon your Book of Correspondence?

A. It was a Persian Letter.

Q. You have sworn in this Affidavit, "that you heard at the Time much Encouragement, and some actual Aid, had been given to Cheit Sing, by Jewar Aly Cawn and Behar Aly Cawn;" (b) What do you mean by some actual Aid, which you heard had been given by these Two Persons?

A. I heard that they had raised Troops; that they had assisted Rajah Cheit Sing's Vakeel in raising Troops, and in sending them to the Rajah's Assistance. I assert this, not on my own Knowledge, but upon common Report.

Q. How comes it, there is no Trace of this Correspondence in your Letter Book?

A. I should wish to know which Correspondence is alluded to?

Q. Had you any Correspondence upon that Subject, that you remember, with any Body?

A. None that I remember; I speak of it as a common Report.

Q. Was it also from common Report that you learned, that, during the Continuance of the Disturbances at Banares, the Begums had manifested a strong Disaffection to the English?

A. It was.

Q. Then I understand, that the only Circumstance which you received any Information upon, in any authentick Shape, was this, "that you further heard from your own News-writer, stationed at Fyzabad, that a Vakeel or Agent from Rajah Cheit Sing had been received at that Place, and allowed to remain under the Protection of the said Eunuchs; but for what particular Purpose, or what was the Nature of his Commission, or Negotiations, you was not able to discover." (c) Was that the only Communication you received from Hoolas Roy, or any one upon this Subject?

A. The only one I recollect at this Time: I do not recollect any other.

Q. You understand that these three Circumstances are the Whole that relates to the Begums?

The House observed, that the Witness had said, they were the Whole he undertakes at this Time to recollect; and that if the Managers for the Commons wished to ask

(a) Vide supra, Page 256.

(b) Vide supra, Page 255, Line 5 from Bottom.

(c) Vide supra, Page 256. him

him any more Questions about it, it would be more proper to let the Witness see the Affidavit.

The Affidavit was shewn to the Witness, and he was asked ;

Q. Did not this Affidavit contain the Whole you knew upon this Subject, on the 27th of November 1781 ?

A. All that I knew of my own Knowledge, I have no Doubt but it did ; it could not contain all I had heard, because it does not contain the Letters I received from Colonel Hannay, or any other Letters.

Q. Does the Affidavit contain any one Thing that you knew of your own Knowledge ?

The Counsel for the Defendant objected, that this would appear by the Affidavit itself.

Q. Do you know any Reason why the Testimony of Hoolas Roy, who was sent to be examined does not appear ; do you know of his being sent to be examined ?

A. He was sent : Certainly ordered to attend.

Q. Do you know, whether he was in Fact examined ?

A. I do not.

Q. Do you know any Reason, or have you heard from Mr. Hastings, why he was not in Fact examined ?

A. I have not.

Q. Did you hear from Colonel Hannay that a Thousand Men, Nudjeebs, were sent from Ferozbad to the Assistance of Cheit Sing ?

A. I have heard it : I cannot say where ; but I certainly have heard it.

Q. Was you apprized that Colonel Hannay mentioned it, and afterwards swore Report which he had heard ?

A. I would wish to refer to Colonel Hannay's Affidavit ; it is impossible I can Memory all that Colonel Hannay deposed to.

Q. What Measures were taken by Mr. Hastings upon hearing of this Rebellion at Fyzabad, and what Troops did he send to suppress it ?

A. Is the Question meant to be confined to the Period of the supposed Rebellion ?

Q. The Question is—Do you know when Mr. Hastings heard of the Rebellion ?

A. I take it for granted, he heard of it in September.

Q. What Measures did he take upon that ?

A. I do not know what Measures he did take, or whether he took any : the Nabob himself was with Mr. Hastings at that Time.

Q. Was not you with Mr. Hastings too at that Time, at Chunar ?

A. Certainly I was.

Q. What Measures did the Nabob take, upon hearing the Report of that Rebellion ?

A. Previous to his Arrival at Chunar, the Nabob had called in all the Troops he could assemble ; he had left Lucknow, with his ordinary Guard, which, compared with what he had afterwards, was a very small one ; and he stopped upon the Road a considerable Time to call in his Troops, and when he arrived at Chunar, he certainly had a very large Body of Troops with him.

Q. Did not the Nabob bring with him the Troops which he so collected to Chunar, or what did he do towards suppressing the Rebellion ?

A. I was going to add, I do not know what Steps he took, or whether he took any, at Chunar.

Q. Whether you ever heard of any one Soldier, Horse or Foot, having been sent to suppress that Rebellion ; whether there was any Sort of Force ever employed in the Suppression of that Rebellion ?

A. I did not hear that there was.

Q. Did the Nabob, upon his Return from Fyzabad to Lucknow, communicate in any Manner with you upon the Subject of that Rebellion, after his Visit to his Mother ?

A. I do not recollect that he did.

Q. When you stormed the Kella of the Begums, what Force had the Nabob and you with you ?

A. The Nabob was there in Person, and had a considerable Force ; and there was One Regiment of English. The Kella was stormed by a Regiment of English Sepoys, assisted by some Troops of the Nabob.

Q. Do

Q. Do you recollect the Amount of the Nabob's Force ?

A. I cannot with any Accuracy ; I suppose he might have Fifteen or Twenty Thousand Men with him.

Q. What Sort of Troops are the Nabob's Sebundy ?

A. They are irregular Troops, armed and clothed after the Country Manner.

Q. Are those Troops fit for any Service ?

A. They are employed occasionally in Military Services ; they are certainly not good Troops, or Troops that can be much depended upon.

Q. Did not you state to Mr. Hastings, that the Nabob's Sebundy alone were sufficient to have reduced the Jagheerdars, and to have seized the Treasures ?

A. I cannot say I recollect it ; if I have said so, it will appear upon Record.

Q. Did you ever consider the Sebundy in any better Light than that of a useless Rabble ?

A. Certainly I could not regard it in that Light, because they were a principal Part of the Troops of the Nabob's Aumils for the Service of their Collections ; they had no other Troops ; undoubtedly they were not regular Troops, or Troops that could be much depended upon in actual Service.

Q. Could the Sebundy have seized the Kella, without the Assistance of this single regular Regiment of Sepoys ?

A. I should apprehend they could not. I understood upon the Spot the Begums had a very considerable Force, and that had the Attack been made by the Nabob's Troops alone, a very severe Resistance was determined upon.

Q. Did you not understand also, at the same Time, that the Begum had no Idea the English were the Nabob's, till you informed her that it would be so ?

A. I have already given an Answer to that Question, that the Begum certainly had Expectations put in her mind of the Assistance of the English for a considerable Time.

Q. At what Time when you gave them that Information that you spoke of Yesterday ?

Q. In refusing the Jaghires, was there any Battle fought, Blows struck, or any Blood shed at all upon that Account ?

A. I do not recollect that there was any where. I recollect, when the Nabob first sent his Aumils to take Charge of the Jaghires, that they were not able to take Charge of them, not having Force sufficient ; afterwards the Nabob sent them with a considerable Force.

Q. Are you sure that the Nabob sent them a considerable Force afterwards ?

A. I understood he sent Force sufficient for the Service : What it consisted of, I cannot say ; but that he sent Troops with the Aumil, who was to take Possession of these Jaghires, is true.

Q. Who commanded those Troops ?

A. Probably the Commander was the Aumil who went to take Charge of the Jaghires : The Officers of the Troops acted under his Command.

Q. Do you recollect having any Correspondence with Major Naylor upon this Subject ?

A. I do recollect having some Correspondence with him upon the Subject ; to the best of my Recollection, he was ordered to assist the Nabob's Officers in putting him in Possession of some Gunges or Markets, which the Begum had on the opposite Side of the River.

Q. Do you recollect Major Naylor's Communication upon that Subject ?

A. I do not, at this Moment, remember it.

Q. From your general Knowledge of Major Naylor, had you any Reason to believe that he would communicate falsely ?

A. I certainly have no Reason to believe that he would.

Q. Did you return any Papers from Lucknow, under a sealed Cover, to Mr. Hastings, in order that they might be opened when he should think it expedient ?

A. I did.

Q. Can you recollect what those Papers were ?

A. I believe One of those Papers was a Copy of the Chunar Treaty, and the other Papers connected with it.

Q. Was there among those Papers a List of the Names of any Gentlemen, to whose Continuance at Lucknow the Nabob had consented ?

A. I do not recollect that there was.

Q. Did you ever send from Lucknow to Mr. Hastings, before his Return to Calcutta, any such Papers ?

A. I do not recollect that I did.

Q. Did you receive from Mr. Hastings, at Chunar, a List of the Names of English Gentlemen allowed to continue at Lucknow?

A. I do not recollect that I did.

Q. Recollect a little carefully on this Subject.—What other Communication did you receive from Mr. Hastings upon the Subject of English Gentlemen who were to be allowed to reside at Lucknow?

A. Mr. Hastings did mention, I believe, in Conversation, the Gentlemen whom the Nabob permitted to reside at Lucknow.

Q. Are you sure that Mr. Hastings gave you no Paper upon that Subject, or that you took no Minutes of that Conversation?

A. I cannot be sure.

Q. When had you this Communication or Conversation with Mr. Hastings?

A. It was while I was with him at Chunar—I cannot exactly say—probably about the Time of signing the Treaty?

Q. Was it not expressly stipulated in the Treaty, that all the English Gentlemen, without Distinction, excepting only the Gentlemen of the Resident's Office, should be removed from the Nabob's Dominions?

The Counsel for the Defendant objected, that the Treaty would speak for itself.

Q. Do you remember any Thing about that?

A. I have some Remembrance about that.

Q. Whether any one Article of the Treaty was kept with the Nabob?

A. I must read the Treaty, and all that has passed upon it, before I could venture to give an Opinion upon that Subject.

Q. Here is the Treaty: Will you point out any one Article that was kept?

The Counsel for the Defendant objected.

Q. Whether that Part of the Treaty which was stipulated should not be carried into Execution, namely, the Nabob's Part, was not in Fact the only Part that was carried into Execution?

A. With humble Submission, I beg Leave to treat that, as a Part of the other Question. It is really impossible for me to answer Questions of this Sort.

Q. Whether you was present at all, or any of the Times, that the Affidavits were sworn before Sir Elijah Impey?

A. I beg to refer to the Answer I gave to that Question before—that I did not recollect being present at any of them; though I admitted, at the same Time, the Possibility that I might have been present when some were taken.

Q. Do you know that there were Affidavits made by native Indians as well as by English Gentlemen?

A. I perceive, by Mr. Hastings's Narrative, that there were.

Q. Do you know in what Manner those native Indians had Notice to make those Affidavits?

A. I do not know any Thing about it.

Q. Do you know of any Communication by Mr. Hastings, to any Person besides yourself, for the Purpose of having Affidavits taken?

A. Perhaps I may not understand that Question perfectly. I take it for granted he communicated with Sir Elijah Impey upon taking the Affidavits; but I do not know any Person at Lucknow whom he communicated with.

Q. Do you know any Person at Lucknow that he did communicate with?

A. No; I certainly do not.

Q. Do you know who the Natives were that made these Affidavits?

A. I understood they were principally native Officers, belonging to Colonel Hannay's Corps. I do not speak from my own Knowledge.

Q. Do you know a Person called Doond Sing?

A. No; I do not.

Q. Do you know a Person of the Name of Denoo Sing?

A. I do not.

Q. Or Kundiall Sing?

A. No: If these are the Persons that have given their Affidavits, I do not recollect I ever saw one of them.

Q. Then you do not know by what Means these Persons were informed they were to make the Affidavits before Sir Elijah Impey?

A. I do not. I always supposed the Communication was made to them by their Officers, that they were to depose, as far as their Knowledge went, to certain Circumstances and certain Facts, and I know no more of the Matter.

Q. Did you give any Instructions to any Person, to desire their Officers to desire those Persons to make Affidavits?

A. I have already informed your Lordships of the Extent of my Communications upon Mr. Hastings's Letter. I do not recollect I had any Communication with any Person whatever, upon that Subject, but Colonel Hannay, and to him I read Mr. Hastings's Letter.

Q. Whether you did not know that Colonel Hannay, Captain Gordon, and Lieutenant Williams, were accused by the Begums and others, of having robbed the whole Country, and being themselves the Cause of the Inturrection, by their Oppressions?

A. I have some Recollection of Letters to that Purport, which have been read before your Lordships.

Q. How came you to confide the Management of the Depositions, which were to authenticate the Rebellion of the Begums, to the Persons accused by them?

A. I have informed your Lordships of the Extent of my Interference. I did conceive the Intention of Mr. Hastings's Letter was only, that the People who were to depose, should be informed to what they were to depose, and I thought I had done my Duty by communicating the Letter to Colonel Hannay, who was the Commanding Officer, and it was his Duty to communicate it to those Officers immediately under him.

Q. Then you mean to say, that it was a Part of Military Duty to do this?

A. I hope I am not out of Order, when I beg Leave to decline answering that Question. It is not possible for me to know—I am no Military Man. I thought I did my Duty in communicating the Letter to Colonel Hannay.

Q. Whether you do not know that some of these Affidavit Men swore in Couples? Do you know whether more than One joined in an Affidavit?

A. I have already informed your Lordships I know very little about the Affidavits. I must refer to the Affidavits themselves. I really do not know that they did.

Q. Whether there was any Man of the Law, as professed by Mahometans or by Hindoos, to see that the Oaths were legally and properly administered to them, according to their several religious Tenets?

A. I really do not know whether there was or not.

Q. Did you take Care that there was? Did you give any Orders or Instructions for any such Person to attend?

A. Certainly not.

Q. (*Cross examined.*) Do you know, in point of Fact, whether any Leaves have been torn out of any of those Books that were shewn you Yesterday, since they were bound?

A. I cannot take upon me to say, whether they have or not. I beg to state, that those are not complete Copies of my Correspondence: The complete Copies of my Correspondence were left in my Office at Lucknow, as my Duty obliged me to do. These are Books and Papers I had an Opportunity of taking for my own private Satisfaction. I cannot say in what Manner they have been treated. I am not sensible of any Leaves having been purposely taken out, or added.

Q. Do you know of any Leaves having been taken out at all, or added, whether purposely or not?

A. No, I do not.

Q. Whether those Books contain, or did ever contain, any Letters to or from Mr. Hastings?

A. This particular Book does not.

Q. What is the Description of it?

A. Letter D: It is Copies of Letters to the Officers employed in the Nabob's Service.

Q. Do you know whether it ever contained any Letters to or from Mr. Hastings?

A. I have every Reason to believe it never did.

Q. You have been asked whether Hoolas Roy ever made any Affidavit—I understood you to say, you believed he did not: Do you know whether Hoolas Roy arrived at Benares before Sir Elijah Impey left it?

A. I do not know when he arrived at Benares.

Q. Do you know at what Time Sir Elijah Impey left Benares?

A. No, I cannot ascertain it exactly.

Q. Whether

Q. Whether the Rebellion of the Begums did not exhibit itself both by the Assistance given to the Insurgents in Baraitch and Goruckpore, and also in the Assistance given to Cheit Sing?

A. I have no Knowledge of that Circumstance but what I have already stated.

Q. In the Use of the Word "Rebellion," do you apply it, as well to the Insurgency in Baraitch and Goruckpore, as to the Assistance given to Cheit Sing?

A. As far as I have any Knowledge of it, certainly.

Q. Whether the Nabob sent any Force of any Kind at any Time to suppress any Insurrection in Baraitch and Goruckpore?

A. Most certainly he did.

Q. When did he?

A. I mean the Detachment under Major Naylor; I cannot say exactly when that marched; it was for the Purpose of quelling the Disturbances in Baraitch and Goruckpore.

Q. At what Time was that?

A. It must be at the latter End of the Year 1781.

Q. Did the Nabob send that Detachment?

A. By his Orders it went.

Q. Whether that Insurrection of Cheit Sing, in which the Nudjicks were assisting, was not suppressed by the British Forces?

A. No doubt it was.

Q. Whether you was in the Country of Oude at or shortly before the Death of Sujah ul Dowlah?

A. I was there a few Days before his Death; perhaps Ten or Twelve Days before his Death.

Q. Do you know where the publick Treasures of Sujah ul Dowlah were deposited?

A. I understood in the Zenana at Fyzabad, under the Care of the Bhow Begum.

Q. Do you mean that those Treasures were deposited in the Zenana under the Care of Bhow Begum, as the Treasurer of the Nabob Sujah ul Dowlah?

A. I understood they were the Treasures of the Nabob.

Q. But the Question is, Whether she was charged as Treasurer to pay the Troops and other publick Purposes?

A. I understood she had Charge of them, as the confidential publick Treasurer; and I will mention One Reason for supposing she was in that Situation. When the Nabob was employed against the Rohillas in Rohilcund, he had a Sum of Money to pay to the East India Company; the Begum happened to be with him in the Camp at that Time, and the Nabob Salar Jung, who was the Begum's Brother, was left in the Management of Affairs at Fyzabad. The Sum the Nabob had to pay the India Company was Fifteen Lacks of Rupees; he gave me an Order for Fifteen Lacks of Rupees upon Salar Jung at Fyzabad; I deputed a Gentleman of my Family to Fyzabad, for the Purpose of receiving the Money, and conveying it to Calcutta. However, upon his delivering the Nabob's Letter to Salar Jung at Fyzabad, a Difficulty arose, as there was no corresponding Order from the Begum for the Delivery of this Treasure; and the Gentleman whom I deputed, whose Name is Grady, was detained there till an Order from the Begum did actually arrive, and upon the Receipt of her Order the Money was immediately paid out of the Treasury.

Q. Do you understand, that the Order given by the Begum, upon that Occasion, was an official Order, in the Character of Treasurer to the Nabob?

A. I cannot take upon me to say in what Character she issued the Order: Certain it was, that the Money was not paid till her Order was issued and received at Fyzabad.

Q. Do you understand that Order to have been given by the Begum as for the Disposition of her own Property, or for the Disposition of the Property of the Nabob?

A. I understood it to be for the Nabob's Property, for which the Nabob had previously given an Order himself.

Q. Do you know what was the Amount of the Treasures, or, what was your best Information of the Amount of the Treasures in the Zenana, at the Death of Sujah ul Dowlah?

A. It is impossible for me to ascertain with any Sort of Accuracy; but it was supposed to be very considerable.

Q. What was the Amount of it, according to the best Information you could obtain upon that Subject?

A. I

A. I would wish your Lordships to understand it is an Opinion given very much at Random : I should suppose, from the Information and Report of the People in general, that it was near two Crores of Rupees.

Q. What other Treasures had the Nabob ?

A. I do not know of any others that he had.

Q. Do you know of any other Place in which the public Treasures of the Nabob were deposited besides this Zenana ?

A. I do not know of any other Place where any considerable Treasures were deposited : He had a nominal Treasurer ; but I do not believe he had Charge of any considerable Treasure ; not more than might be necessary for immediate Use. I certainly did understand, that the Nabob's principal Treasure was at Fyzabad, under the Charge of the Begum.

Q. Necessary for immediate Use ; what Use ?

A. For his Expences.

Q. Expences of his Household, or the Army ?

A. For Expences of the Household.

Q. But not for the Expences of his Civil Establishment ?

A. No, I should imagine not ; that would have been very considerable.

Q. Do you know what was the Amount of the Debt Sujah ul Dowlah owed the Company at the Time of his Death ?

A. I cannot exactly say, but I believe it will appear in the Accounts ; it was considerable, I know, but I cannot ascertain the Sum.

Q. Do you recollect whether 40, 50, or 60 Lacks, or some such large Sum ?

A. It was, according to the best Recollection I have of it, between 40 and 50 Lacks, or thereabouts.

Q. Whether Sujah ul Dowlah had not a large Army, and what Number of Foot at the Time of his Death ?

A. I do not know with any Degree of Accuracy ; he had a very considerable Army.

Q. What is your Notion of a considerable Army ?

A. From 50,000 to 70,000 Men.

Q. Do you know whether that Army was considerably in Arrear of Pay, at the Time of the Death of Sujah ul Dowlah ?

A. I understood they were considerably in Arrear, many Months, near Twelve Months, I understood.

Q. Besides the Arrears of Pay due from the Nabob, and besides the Debt due to the Company, do you know whether the succeeding Nabob was burthened with any other Debts of his Father, owing to Individuals ?

A. I believe there were some Debts to Individuals ; but, I fancy, not considerable.

Q. Can you inform the House, what was the aggregate Amount of all the Nabob's Debts ?

A. It is impossible for me to give an accurate Answer to that Question ; I really do not know what his Army was in Arrear ; or what the Pay of his Army was.

Q. What Difference is there, if you know it, between the Tenure of the Jaghires, and the Lands holden in Ultumgah ?

A. My Idea of the Distinction is, that a common Jaghire is resumable at Pleasure ; and that an Ultumgah is a Grant confirmed by the King, perpetual and hereditary.

Q. By "confirmed by the King," I understand you mean, confirmed at Delhi ?

A. Confirmed by the Mogul : That is my Idea of it.

Q. Whether a Jaghire is in the Nature of a Rent Charge ; or whether it carries with it the actual Possession of the Land in general ?

A. The Jaghiredar certainly has Possession of the Land ; but it is understood, that the Surplus, beyond the Sum for which the Jaghire was granted, does belong to the Prince who grants the Jaghire, if he chooses to take it.—It is so understood.

Q. The Jaghire is granted then, as productive of a certain Sum ?

A. The Jaghire is granted for a specific Sum.

Q. Is it rated in the Grant as productive of a certain Sum ?

A. Yes.

Q. Then, you hold that a Jaghiredar is accountable for the actual Profit he receives beyond that Sum ?

A. He is accountable for it; if the Prince chooses to call upon him, he is to account for the net Collections, and the Overplus belongs to the Prince—which is called, in the Language of the Country, Tophier.

Q. Whether you have not heard the Nabob frequently complain, prior to the Year 1781, of the Disorders in his Country, occasioned by the Independency of the Jagheerdars?

A. To the best of my Recollection, I have heard frequent Complaints.

Q. Whether the Jagheerdars do not keep a large Body of Forces, besides what is immediately necessary for collecting the Revenue of their Jaghires?

A. It is impossible for me to say, what is necessary for the Collection of their Jaghires; they all certainly keep up a considerable Body of Troops in their respective Jaghires; I cannot say for what Purpose they keep them.

Q. Whether those Troops, kept up upon the Jaghires, were under the Controul of the Nabob, or under the Controul of the Jaghiredars merely?

A. Entirely under the Controul of the Jaghiredars, as I understand.

Q. Whether the Nabob has not said in Conversation with you, with respect to the Jaghiredars, that two Rulers were too much for one Country?

A. I cannot say I recollect the Expression to myself.

Q. Whether the Nabob has not in Conversation with you complained that the Begums Servants had preserved a total Independency, and that the Jaghiredars had beat the Officers of the Government, and refused Payment?

A. I do not recollect in those very Terms; but I am very sure the Nabob has frequently complained of the Begums People, and that they treated his Authority with Contempt; but I do not recollect those particular Expressions.

Q. Whether any of the Jaghiredars in Oude have not frequently given Refuge to rebellious mindars, and weakened the Nabob's Authority?

A. I have heard of such Instances.

Q. Upon the Independency of the Jaghiredars in general, has the Nabob complained to you, that they weakened his Authority?

A. To the best of my Recollection, the Nabob has made those Complaints.

Q. Have you not Reason to believe, that those Complaints were well founded? Specify your Reasons, if you have any.

A. I certainly did believe the Complaints were well founded. It must be obvious to your Lordships, that large Districts of Land, with considerable Bodies of Troops entirely unconnected and uncontrouled by the Authority of Government, must interfere with the Government itself.

The above Question and Answer were read over by the Clerk.

Then the following Question was put to the Witnesses:

Q. Whether you know the Amount of the Jaghires which the Bhow Begum had at the Time of the Death of Sujah ul Dowlah; and what Increase was made to those Jaghires, if any was made, by her Son Sujah ul Dowlah?

A. I know it only from subsequent Conversations. I understood it was but very inconsiderable upon the Death of Sujah ul Dowlah; and that it was largely increased by the Nabob.

Q. But the Amount of either the one or the other, you do not know?

A. I cannot ascertain exactly how much; but I think the Begums Jaghire, at the Time it was resumed, was about Six Lacks of Rupees a Year, or more.

Q. But what it was, at the Time of the Death of Sujah ul Dowlah, you do not know?

A. No, I do not.

Q. Have you ever heard from the Vizier or Bhow Begum, what that Amount was, or what it was at the Death of Sujah ul Dowlah?

A. I certainly have; but I cannot at this Moment charge my Memory with it: I do not think it was so much as Two Lacks of Rupees, as far as my Recollection of it goes.

Q. I understand you to have said, according to the best Information you have upon the Subject, that the Jaghire of the Bhow Begum was under Two Lacks at the Time of the Death of Sujah ul Dowlah, and was increased to Six Lacks and upwards by Afoph ul Dowlah: Do you know what was the Amount of her Annual Expences?

A. No, I certainly do not; and have no Means of ascertaining it with any Sort of Accuracy.

Q. Was there any Appearance of Expence, to the Amount of her Jaghire?

A. If I might venture an Opinion, I should suppose it could not have been any Thing like it; not a Fourth Part of it; but it is merely Matter of Opinion; it is mere Guess.

Q. Under whose particular Controul and Management were the Jaghires of the Bhow Begum ?
A. Under the Management of her Two Eunuchs, Jewar and Bahar Ally Khan.

Q. Whether Jewar and Bahar Ali Khan had not, in many Instances, prior to the Year 1781, rendered themselves obnoxious to the Nabob's Government ?

A. I understood they had rendered themselves obnoxious to the Nabob himself personally.

Q. Had they offended against his Government in any Manner ?

A. I apprehend it must be in some Part of their Conduct in the Management of the Jaghires, that they had given the Nabob Offence; he also complained, to the best of my Recollection, that it was their View to keep him and his Mother at constant Variance—at constant Difference.

Q. Whether you remember her chief Agent Bahar Ally Khan having marched a considerable Force into Nabob Gunge, one of the Begum's principal Jaghires, declaring, that if any Attempt was made to resume it, he would lay the whole Country waste—Was Bahar Ally Khan her principal Minister ?

A. He was.

Q. Had he made any such Declarations of laying the Country waste ?

A. I would refer to the Letter.

Q. Do you know any Thing of a March into Nabob Gunge ?

A. I have not a perfect Recollection of it.

Q. What were the Number of those Jaghiredars in the Nabob's Country, immediately prior to the Resumption of the Jaghires, or about the Time of the Treaty of Chunar ?

A. There were a great many of these, Fifty or Sixty.

Q. Of what Description of Persons were the Bulk of those Jaghiredars ?
A. They were of all Descriptions.

Q. Were they People of low Condition in general, and who had done no particular Service to the Government from which they received those Jaghires, or were they personal Favourites ?

A. The Nabob's Family were included among them; there were also many of his Aumils and principal Officers, that were in charge of Military and Civil Offices, they also had Jaghires; and there were a great many of that Description of People, called Orderlies, who had considerable Jaghires.

Q. What is an Orderly ?

A. It is taken from their former Situation, in which they were before the Nabob's Accession to the Musnud; they attended his Person, as orderly Sepoys, Men who were always attendant upon him, they were Hindoos; upon his Accession to the Musnud he raised them to the Rank of Rajahs, and gave them considerable Jaghires.

Q. What was their Rank before he came to the Musnud ?

A. They were common Soldiers, Sepoys.

Q. Were they personal Favourites of the Nabob ?

A. The Distinction with which he treated them, upon his Accession to the Government, would seem to leave that beyond a Doubt.

Q. Were they People of low and inferior Condition prior to their Elevation by the Nabob ?

A. They were in the same Condition as other common Sepoys.

Q. Whether you know if any, and what Sum, was realized by the Nabob, from Baraitch and Goruckpore, prior to Colonel Hannay's Appointment ?

A. I believe the Sums he realized from that Country were but very inconsiderable; he was obliged to keep up a very large Force there to make the Collection, and I believe the Revenue of the Country did very little more than defray the Charge of those Troops.

Q. Do you know what Sum was realized by the Nabob from the Country of Baraitch and Goruckpore, during the Time of Colonel Hannay's Command ?

A. I cannot from Memory ascertain exactly what the Sum was. The Company had a considerable Assignment on the Country upon those Two Districts, which was paid.

Q. Do you know nearly, within a Lack, what might be the Amount received by the Nabob annually, or in the Whole, during the Time Colonel Hannay had his Command ? When were the Assignments given to the Company of those Two Districts ?

A. I believe when Colonel Hannay first went there; they might have had Assignments before that.

Q. Did Colonel Hannay account to the Nabob for the Collections ?

A. He did.

Q. Do

Q. Do you know what the Amount of that was ? Did it pass through your Office ?

A. It did not, further than the Company's Assignments : which, as far as I can charge my Memory, upon these Two Provinces, were 10 Lacks of Rupees.

Q. Were those 10 Lacks received by the Company in any One Year, or during a longer Period ?

A. In One Year.

Q. Was there any other Money received by the Nabob, beyond the 10 Lacks that were received by the Company ?

A. Yes ; I understood there was certainly—that was not the Whole of his Collections.

Q. Have you any Idea of the Amount of the Sum received beyond the 10 Lacks ?

A. I have not. I know other Assignments were given by the Nabob upon the Country, which were always paid.

Q. Do you know to what the Amount of those Assignments were ?

A. I do not.

Q. Did you say any Thing about the Company's having Assignments upon Goruckpore before ?

A. They had some small Assignments upon Baraitch, as I understood, before Colonel Hannay's going there. They were separate Districts, though laid together. They were under separate Governments.

Q. What became of those Assignments ?

A. That was before my going up there ; so that I do not know whether they were or were not paid.

Q. Whether the Sums received by the Vizier's Assignment, which came to the Hands of the Company, and the other Assignments you mentioned, were not after the Payment of the Sums employed in the Collection of those Districts ?

A. That I do not know. Colonel Hannay's Troops were certainly not paid from the Collections, but from an Establishment at Lucknow ; the other Troops belonging to the Nabob that were stationed in the Country, which were also considerable, were, I apprehend, paid from the Collections.

Q. So that the Collections were net, and this was their Produce, beyond the Payment of the Troops of the Nabob stationed in the Country, but not beyond the Payment of Colonel Hannay's Corps ?

A. No ; Colonel Hannay's Troops were paid at Lucknow.

Q. Whether you do not know, that the Establishment of Courts of Justice in Oude was proposed and recommended to the Nabob by Mr. Hastings ?

A. It certainly was.

A. Whether, prior to that Recommendation by Mr. Hastings, any regular Courts of Justice had ever, as you have heard, been established at Lucknow ; or whether Justice was not administered by the Foudjdars of the Country ?

A. I do not know that there ever were any regular general Courts of Justice in the Country of Oude ; each Foudjdar had a Jurisdiction, which he exercised I believe very much without any Controul. The Nabob was the Controul, but he was left without Controul in the Management of his own District.

Q. What do you understand to be the Office of a Foudjdar ?

A. It is a mixed Office, both civil and military.

Q. Whether you do not understand, that this Establishment of Courts of Justice, as proposed by Mr. Hastings, was defeated by the Opposition of the Nabob, and the principal People of the Country ?

A. In Consequence of Mr. Hastings's Instructions, I used all the Influence I was Master of, to get Courts of Justice established at Lucknow, and throughout the Country ; but it was a Measure not cordially acceded to, either by the Nabob or his Ministers ; and all my Endeavours proved abortive. Some Steps had been taken towards it, though very reluctantly, by the Nabob and his Ministers, when I was recalled from my Situation at Lucknow ; whether it was accomplished by my Successor, Mr. Bristow, or not, afterwards, I cannot take upon me to say.

Q. Have you, from any Communication with Mr. Hastings at the Time, Reason to believe that Mr. Hastings urged that Measure seriously and earnestly ?

A. He certainly did.

Q. (by a Manager). Was the Begum in Receipt of the Revenue of the Country of Oude, during the Life-time of Sujah Dowlah ?

A. The

A. The Collections, I understand, as they were received, were sent to Fyzabad, and deposited in the Zenana.

Q. Did the respective Collectors transmit them to Fyzabad as they were received?

A. Yes. The Nabob, as I said before, had a public Treasurer, but he had not the Charge of any considerable Treasure, more than what was necessary for his domestick Use.

Q. Did the several Aumils, Collectors, and Officers of the Revenue, transmit their Collections to Fyzabad to the Zenana there, or to that Treasurer you have alluded to?

A. I apprehend they transmitted the Treasure to the Nabob's Minister.

Q. Who was the Nabob's Minister?

A. Ellich Cawn.

Q. Was he the Treasurer, or what you call the Treasurer, there?

A. No, he had a Treasurer besides.

Q. After they were transmitted to Ellich Cawn, what became of them?

A. The Revenues are always remitted in Bills upon the Houses of the Shroffs at Fyzabad; the Minister, as I apprehend, realized those Bills, and deposited the Treasure in the Zenana; this I apprehend to have been the Course: Your Lordships will understand too, the Nabob, Sujah ul Dowlah, made Fyzabad his Residence at that Time; Lucknow afterwards was the Place of Government of the present Nabob.

Q. Then Sujah ul Dowlah all his Life-time resided at Fyzabad?

A. Yes, it was his Capital.

Q. You spoke of two Orders, one by which the Nabob directed the Payment of a certain Sum of Money to a Mr. Gready, a Gentleman in your Employment; that Order was disputed, did you see that Order?

A. I saw the Nabob's Order.

Q. Did you see the Order which came from the Begum, in consequence of which the Money was actually paid?

A. I do not remember I did see it; I do not recollect I did see it.

Q. Then, how do you know that the Begum drew for that Money as if it was the Nabob's Property?

A. I mentioned that as Matter of Opinion, concluding it was so, from the Nabob's having previously given an Order for the same Purpose: I never saw the Begum's Order, but I was informed of the Circumstance by Mr. Gready, who was detained at Fyzabad till it arrived.

Q. Whether the Circumstance of the Nabob's Draft not having been answered, and the Begum's Draft immediately producing the Money, did not give you a Presumption it was the Begum's Money, and not the Nabob's?

A. My Presumption was, that it was the Nabob's.

Q. Whether that is not a Circumstance that indicates the contrary?

A. It is a Matter that I cannot positively affirm one Way or the other; my Belief certainly was, it was the Nabob's?

Q. Is it your Belief now?

A. Undoubtedly.

Q. Whether you do not know, that in the Disputes respecting the Treasure in which Mr. Bristow was concerned in the Years 1775 and 1776, it was admitted by the Nabob, that all the Treasures which were in the Zenana belonged to the Begum?

A. I cannot say I remember that Circumstance; it will appear by Mr. Bristow's Letters; if it is so, I do not recollect it.

Q. Was you ever apprized of the Circumstance of the Begum's having come to Sujah ul Dowlah after the Battle of Buxar, with all the Treasures she could bring for his Relief?

A. I understood she did come to Sujah ul Dowlah, after the Battle of Buxar, and brought with her Jewels and valuable Effects; I do not know there was any Treasure, but large Sums of Money were raised from them.

Q. And with a View of raising a large Sum of Money upon them?

A. I cannot say that was the View, but that was the Consequence.

Q. Was it not generally considered, that it was in part owing to this Instance of her Affection, that the Nabob, Sujah ul Dowlah, ever after shewed her particular Deference and Attention?

A. I certainly have heard such Reports; I cannot speak particularly to the Certainty of them.

Q. Was it not generally known, that it was through the Influence which the Bhow Begum possessed with Sujah ul Dowlah, that the present Nabob, Asoph ul Dowlah, was left his Heir?

A. That

A. That is a Matter I cannot exactly speak to, not having been there at the Time of Sujah Dowlah's Death.

Q. Have you never conversed with Afoph ul Dowlah on the Subject?

A. I am pretty certain that I have heard that reported too, but I cannot trace it to any Authority.

Q. Did you ever converse with Afoph ul Dowlah about it?

A. No, certainly not.

Q. Nor heard him allude to it?

A. No, I do not believe I ever heard it, till within these very few Days.

Q. Did you never hear it mentioned as a Thing generally known, that the Bhow Begum had lived the Life of her Son, the present Nabob?

A. I have heard that as a Report too, certainly.

Q. When did you hear that?

A. A great many Years ago.

Q. Recollect what the Number of Persons were, whom you stated to be dependant upon the two Begums at Fyzabad, when you visited Fyzabad in the Year 1778; the Women and Children, the Family of the deceased Nabob, and his Relations?

A. I cannot recollect; I beg Leave to refer to the Letters.

Q. Whether they were 2000, more or less, as near as you can recollect?

A. I cannot recollect with any Accuracy; I wish the Letter to be read.

Q. What Fund was there for the Maintenance and Education of the Children belonging to the Zenana?

A. There were Assignments given upon the Nabob's Revenue for their Maintenance.

Q. Do you not know that those Assignments were not paid, and that you so stated it? Upon what Part of the Revenue, in short, were those Assignments?

A. I do not recollect the particular Districts at this Time.

Q. Were they ever paid?

A. Some certainly were paid; but they were not regularly paid, undoubtedly.

Q. Do you know the Amount of the Whole of the Assignments?

A. I do not.

Q. Or of the Part that was paid?

A. I cannot say I do. The Assignments were given to the Person in charge of the Khourid Mahl, who had the receiving of the Money from the Aumils, and he made frequent Complaints that the Payment was not regularly made.

Q. Whether, taking this Body of Women and Children altogether, in both Establishments of the Zenana and Khourid Mahl, a very great Sum, and what Sum, was necessary for their Maintenance and future Provision?

A. It is impossible for me to give an Answer to the Question, without knowing in what Sort of State they were to be maintained.

Q. Then you do not know how they were maintained?

A. I do not know at all how they were maintained, nor the Number of Women, but from Information I had upon the Spot.

Q. But, according to that Information, do you know what these Expences ought to have been?

A. It would certainly have required a large Sum of Money.

Q. What is your Idea of a large Sum of Money, as applied to that Subject? Have you any Conception what the annual Establishment, and the accidental Expences of setting them out in Life, would amount to?

A. No; I really cannot give any Opinion upon it. I know the Expence of the Khourid Mahl, which was never paid by either of the Begums, was very inconsiderable, compared to the Number of People that it was supposed were in it. So far as I have a Recollection of the Matter, I do not believe there ever were more than 50,000 Rupees collected for the Payment of the Women and Children of the Khourid Mahl.

Q. Paid by the Year, do you mean, or in the Whole?

A. By the Year.

Q. Are you aware of the Demands which the Establishment of the Khourid Mahl, or the Zenana, would make upon the Nabob, for the Marriage of the Children, or of any other incidental Advance?

A. No; that is a Matter upon which I cannot venture to give any Opinion.

Q. Was

Q. Was it not, because there was so small a Sum collected and paid for the Khourd Mahl; was it not upon that Account, that the Burthen of maintaining them fell to the Elder Begum?

A. I must beg Leave to refer to my Letter upon that Subject.

Q. What was the Amount of the Plunder taken in the Rohilla War, supposed to be lodged in the Zenana?

A. I really cannot recollect what the Amount was; but I recollect undergoing an Examination upon the Subject at the Time, which I would rather refer to. It is so many Years ago, I cannot possibly recollect.

Q. An Examination where?

A. In Calcutta.

Q. Upon the Subject of the Rohilla War?

A. Yes.

Q. Is that upon Record?

A. Yes.

Q. What was the Debt due to the Company at the Death of Sujah Dowlah, for their Assistance in extirpating the Rohillas?

A. There were other Sums due from Sujah Dowlah, besides that Sum. I suppose the Question means the Stipulation for our Assistance in the Rohilla Campaign; that was 40 Lacks of Rupees.

Q. Had any Part of those 40 Lacks of Rupees been paid, in the Lifetime of Sujah Dowlah?

A. It is difficult to distinguish; the Whole was thrown together. That Sum, and what he owed to the Company on other Accounts, was all included in One Account; and he made One Payment, upon that Account, of 15 Lacks of Rupees, before his Death.

Q. What Sum, do you suppose, remained due of fair Debts to the Company at the Time of Sujah Dowlah's Death?

A. I believe I have before informed you, as far as I can recollect, that it was between 40 and 50 Lacks of Rupees.

Q. Whether, in the Settlement in the Year 1775, the Nabob did not receive 56 Lacks from the Begum?

A. I was not there at the Time: I would rather refer to the Record.

Q. Do you not know that the Elder Begum had a Jaghire that she held by a Sunnud from the Mogul, of the Nature you described before, the Ultumgah?

A. I have heard that she had: I cannot ascertain the Fact.

Q. Had not the Begum the same Right to maintain Troops for her Jaghires, as the Nabob had to maintain Troops in any Part of his Government?

A. That is a speculative Question: I could wish to be excused answering it: They had the same Right the other Jaghiredars had; whether that Right was equal to the Nabob's, I cannot say.

Q. Was it not as essential to the Establishment of the Jaghires, that the Jaghiredars should maintain Troops within their Districts, as that the Nabob should maintain Troops within the whole Province?

A. It was essential to the Collection, that they should have a certain Number of Troops; but what Number was necessary for the Collection, it is impossible for me to say.

Q. Was there any Doubt of their Right to have Troops in their Forts, for the Collection of their Jaghires. Were the Troops such as they naturally had upon the Estates they held, or were they of any other Description?

A. At Fyzabad, I understand, they had a considerable Number of Troops at the Time we went there, besides those employed in the Collection of their Jaghires.

Q. But the general Establishment of Troops, which they had upon their Jaghires, was such as naturally flowed from the Constitution of the Jaghires?

A. Certainly.

Q. You have said that Bahar Ali Cawn and Jewar Ali Cawn had offended the Nabob; do you not recollect that the Nabob was continually endeavouring to encroach upon the Jaghires, and the Rights of the Begums?

A. Certainly there was always a very great Contention between the Nabob and the Begum; she occasionally complained very much of his suffering his People to infringe upon her Rights; that was One of the great Complaints of the Begum against the Nabob.

Q. Do you know, or not, whether that Complaint was well founded?

A. I have known an Instance where the Nabob has not punished his Servants for interfering with the Rights of the Begum. I have heard of Instances which I believed at the Time.

Q. Whether it was not the Duty of the Begum's Ministers, to oppose those Encroachments?

A. I presume it was their Duty to execute the Charge given to them, in the best Manner they could.

Q. Was it to watch over any Encroachments made upon their Estates, and to complain?

A. I should presume it was.

Q. Whether their Want of Favour with the Nabob, is not referable to that Particular amongst others.

A. That might have been One Cause, undoubtedly.

Q. Do you know any other Cause the Nabob had, to complain of their Behaviour?

A. I know of nothing more than what I have heard from the Nabob himself; his Complaints were general.

Q. You have said, that the Nabob frequently complained of the Jaghiredars; whether he has not more frequently complained of the Interference of the English, and that the English Gentlemen caused great Distress and Confusion in his Government?

A. I have heard of such Complaints, certainly; but I believe my Information is drawn from what is now before your Lordships, more than from any Complaints the Nabob made to me; at the same Time I do not mean to say, that the Nabob has not in some Instances complained in the Manner stated in the Question.

Q. Whether he did not represent it, in negotiating with Mr. Hastings and you about the Treaty of Chunar, as an intolerable Burthen, and the Source of all his Distresses?

A. I do not recollect he did to me; what he did to Mr. Hastings, I cannot say.

Q. Did he, or not, in any Conversation with you, complain of the Interference of the English in Matters of his Government, as a Grievance to his Country?

A. He has made such Complaints to me, certainly.

Q. In the Treaty of Chunar, did he stipulate that all the English Gentlemen should be except the Resident?

A. I believe that was a Stipulation in the Treaty of Chunar.

Q. Upon what Ground did he proceed to urge that Stipulation?

A. I conceive the principal Ground was, to rid himself of the Expences of it.

Q. Upon what Ground did he stipulate to remove the temporary Brigade, upon the 19th of September.

A. That was upon the same Ground, I presume, to get rid of the Expence.

Q. Was it not upon the 19th of September, that you stated the Rebellion raged most in his Country?

A. It was about that Time.

Q. Can you account for the Nabob's stipulating, that the British Army should be withdrawn from his Dominions, at the Time the Rebellion existed?

A. I should suppose his Intention was not to have the British Army removed, till the Rebellion was quelled, and the Disturbances of the Country had subsided.

Then the following Passage of a Letter from the Vizier to Mr. Hastings, dated 20th May 1781, was read:

"I have frequently written to you, that I cannot submit to the Authority of the Two Gentlemen."

Then the following Question was put to the Witness:

Q. Do you know any thing of that Transaction?

A. I do not recollect ever seeing the Letter.

Q. Did you ever hear the Nabob speak upon that Subject?

A. No, I cannot say I have.

Q. What Two Gentlemen were there in such a Situation as to have afforded that Cause of Complaint?

A. The Letter itself mentions them by Name.

Q. Do you know the Names or not?

A. Certainly, Mr. Bristow and Mr. Middleton.

Then

Then the following Extract from Mr. Middleton's Letter Book A, already delivered in, was read :

" Letter from Mr. Davy to Nathaniel Middleton Esquire.

" Sir,

" I am directed by the Governor General to inform you, that the Bearer Hoolas Raie, who attended here by your Orders, has been examined as to the Points on which he could give Information, and has now received Permission to return.

" December 21st, 1781,

Benares.

" Nathl Middleton Esquire.

" I am, Sir,

Your most obedient Servant,

(Signed)

W^m Davy.

P. Perf^a Transl."

Then the Managers for the Commons requested, that the Examination of the Witness, relative to Hoolas Roy's Testimony, might be read. (a)

The same was read by the Clerk, as follows :

" Q. Do you know any Reason, why the Testimony of Hoolas Roy, who was sent to be examined, does not appear ; do you know of his being sent to be examined ?

" A. He was sent—certainly ordered to attend.

" Q. Do you know whether he was in fact examined ?

" A. I do not.

" Q. Do you know of any Reason, or have you heard from Mr. Hastings, why he was not in fact examined ?

" A. I have not."

Then the following Question was put to the Witness.

" Q. Whether you ever heard of any Resistance, or Preparations for Resistance, in any other Place, than in that which was called Nabob Gunge ?

" A. I do not recollect at this Time ; if I were to read the Letters, I might see ; I think, in all Probability, there were other Instances ; I had no Doubt there were other Resistances.

" Q. Do you remember any Instance of actual Resistance in any other Place, besides Nabob Gunge.

" A. Not any actual Resistance, but only Threats to resist.

" Q. What Memory have you of any Preparations to resist, in any other Place but that ?

" A. I have a Recollection of having written upon the Subject at the Time.

Then a Letter, dated Lucknow, 27th December 1781, was shewn to the Witness, and he was asked ;

" Q. Is that a publick or a private Letter ?

" A. It appears to me a publick Letter.

" Q. Do you call it a publick Letter ?

" A. I do.

Then the following Extract was read, from Mr. Middleton's Letter Book, A, already delivered in.

" To Nathaniel Middleton Esquire, Resident at the Court of the Vizier.

" Sir,

" I was favoured with yours of the 3d this Morning, and have the Pleasure to repeat to you every Thing * perfectly quiet in this Purgunnah of Nabob Gunge.

(Signed at the End)

" F. Naylor."

Then the Witness was asked ;

" Q. (by Counsel.) Whether, in a Letter from Sir Elijah Impey, you had this Communication from the Begum or her Minister,—“ If my Jaghire is touched, the whole Country shall go with it :”—Have you such Remembrance ?

" A. I have, and beg Leave to refer to the Letter itself.

" Q. Whether you have now any Recollection of the Fact of Hoolas Roy having made any Affidavit, or not ?

" A. I really recollect nothing at all further about it, than his being ordered down ; nor did I recollect, till I had heard the Letters read from Mr. Hastings and Mr. Davy, any Thing about it. I know nothing of his having made it, but what I draw from that Letter.

(a) Vide supra, Page 731.

Q. Did Hoolas Roy inform you he had made any Affidavit?
A. He never did; or I should have remembered it.

Q. Did he ever hold any Conversation with you about it?
A. I do not recollect he ever did.

Q. Whether there were Two lesser Zenanas, or only One?
A. Only One.

Q. Whether the Children of Sujah Dowlah, if there were any, resided in the Khourd Mahl?
A. Certainly.

Q. Were there any Children of Sujah Dowlah not residing in the Khourd Mahl?
A. Yes; there were many.

Q. Were there any distinct Assignments made for those Children?
A. Yes; there were.

Q. Was that Provision either for the Children in the Khourd Mahl, or out of it, in any Manner under the Controul or Direction of the Begum?
A. Certainly not.

Q. What was that Provision?—What was the Provision for the Children, either within or out of the Khourd Mahl?

A. I have mentioned before, that the Provision for the Women and the Children within the Khourd Mahl was about 50,000 Rupees; for those who were out of the Zenana, one was Mirza Saadit Ally, he had a Provision of Three Lacks of Rupees per Annum allowed him for his Maintenance.—There were several others, but I do not recollect what their Allowance was; they had some Allowances always, as I understand.

Q. Were those Allowances under the Controul of the British Resident?

A. No; he had nothing to do with them, except Mirza Saadit Ali; when he first came to Nabob's Court, his Allowance was under the Controul of the Resident, the Resident had the Management of it.

Q. How long did that continue?

A. A very short Time after he went to Benares, the Resident ceased to have any Thing to do with that Allowance for his Maintenance.

Q. In what Year was it he went down to Benares?

A. I think it was in 1778: I think so.

Q. After that Time, had the Resident the Controul over the Funds assigned for the Maintenance of any Part of the Nabob's Family?

A. It constituted no Part of the Resident's official Duty to superintend the Khourd Mahl, or the Maintenance of the younger Branches of the Family.

Q. Did not you understand it as mere voluntary Humanity, when you interfered to make Application to the Nabob for such Allowances; did you make Application for the Allowances to any Part of the Family?

A. I have occasionally.

Q. Did you understand it to be a Part of your Duty, or did you do it from any particular Attention of your own to them?

A. Not from any Sense of Duty at all; I did not consider it a Part of my official Duty.

Q. Had you any Instructions from the Government upon that Subject?

A. Not particularly, that I recollect; I believe my Instructions, in general, were to pay all the Attention in my Power to every Branch of the Nabob's Family.

Then, the following Extract was read from Book 26, already delivered in, from a Consultation of the 22d June 1780, beginning at Page 524 of the same Book.

“ That when the Nabob shall arrive, I (Mr. Middleton) will procure suitable Allowances to be made to the Ladies of the Zenana, and the Children of the late Nabob Sujah ul Dowlah, and take care that they are paid (a).”

Q. (from a Lord.) I understood you, in the Examination of Yesterday, to have said, that your Letter Books, now in Court, were copied at Lucknow, and bound up afterwards elsewhere; is that so?

A. There were some copied at Lucknow, and some at Calcutta.

Q. Where were they bound up?

A. I believe they were principally bound up at Calcutta.

Q. You stated Yesterday, that the Letters were copied before they were bound into the Books;

(a) Vide supra, Page 461; also Appendix, N° XX.

was that the Case with respect to all the Books, or only with respect to some of them. Were any of the Letters copied after the Book was bound up?

A. It is impossible for me to say whether they were or not; it is very possible they might have been, but I cannot take upon me to declare, whether they were so or not. I would wish again to repeat, that I never put those Books in as compleat Copies of my Correspondence; on the contrary, when I presented them, I mentioned it to be otherwise: When I was called upon by the Commons, I was frequently able to reconcile the seeming Deficiency in it; but, at the same Time, I took an Opportunity of remarking, that I should not have been surpris'd if such Deficiency appeared; because I never looked upon them to be compleat Copies of my Correspondence, nor do I believe they are so.

Q. I want you to explain what you said Yesterday. A Book was shewn you, and it appeared, as stated to us, that the different Leaves of the Book were not all of an equal Length. You stated, in Answer, if I recollect right, and I wish to know whether I do recollect right, that the Reason was, because the Letters were copied first on Sheets, and bound up in the Book afterwards?

A. That is the Case of a great many Letters, I have no Doubt; they are copied in separate Sections of Paper, and afterwards put together.

Q. Can you say, whether that is the Case with respect to the Book marked D; and whether the Letters in that, were copied before the Book was bound, or copied into the Book after it was bound?

A. I really cannot take upon me to say, whether they were, or not.

Q. I understood you to have said Yesterday, that Mr. Hastings's Answers to you were all in those Books, to your Knowledge: Is it so?

A. No: Not all: All my publick Correspondence with Mr. Hastings I did suppose to be in those Books, unless, from the same Cause, they are not complete.

Q. You say, not with respect to the private Correspondence, but with respect to publick Correspondence, they are all in some of those Letter Books in the Court; then you make an Exception with respect to Inaccuracies of those which are left out. Whether you mean to say positively, or negatively, that all the publick Letters of Mr. Hastings are in some of those Books?

A. I have no Doubt that they are; but, from the Circumstances I have taken the Liberty of stating to your Lordships, I cannot affirm positively, they are; though, to the best of my Belief, there is every publick Letter I wrote or received, except those delivered up, as I stated formerly.

Then the Book D was shewn to the Witness.

Q. Open the Book at Page 114; observe the different Circumstances in it; first, the loose Threads that follow Page 114, also the Catch-word at the End of the Page 114, and the Letter which begins in Page 114, and which has no Ending; I mean, no Ending in the Page bound up in that Book?

A. Yes: I observe all those.

Q. Whether under all those Circumstances any Leaves, have or have not, been torn out of that Book?

A. It certainly appears that they have; I cannot account for the Circumstance; those Letters are dated just about the Time of my leaving Lucknow, and upon Mr. Bristow's coming up there; many of those that afterwards follow, were Letters written from Calcutta, and received in Calcutta?

Q. Look at those loose Leaves, and say when those loose Leaves were put into that Book, when they were copied?

A. Those were certainly copied in Calcutta; I know it from the Hand Writing of the Letters.

Q. Do you know when they were copied?

A. No; I cannot say when.

Q. Do you know when they were put into the Book?

A. No; I do not, indeed.

Q. (*from a Lord.*) Do you know the Year when they were copied; I mean the loose Leaves?

A. I take it for granted they were copied in the End of 1782.

Q. But what is the latest Period you can be positive they were copied?

A. It is impossible for me to say; the Date of the last Letter here is the 24th of November 1783.

Q. (*from a Lord.*) Were they copied so late as January last?

A. No; certainly not.

Q. Were they copied so late as January 1787?

A. No; certainly not.

Q. As January 1786?

A. No; certainly not.

Q. As

Q. As January 1785?

A. I must recollect when I left the Country; they were copied in Calcutta—the loose Papers were all copied in Calcutta.

Q. The last loose Papers, as well as the rest, were copied in Calcutta?

A. The loose Papers, as well as the rest, were copied in Calcutta.

Q. I speak of loose Papers only; ascertain the latest Period since which you are sure they have not been copied?

A. I can only be sure they have not been copied since I left Calcutta.

Q. When did you leave Calcutta?

A. In January 1784.

Q. Do you know whether they were copied the Year before you left Calcutta, or not?

A. It is impossible they could be, because some of them are dated in the End of the Year 1783.

Q. You say, the loose Leaves were copied in Calcutta: Where were the other Parts of the Books copied; whether at Calcutta, Lucknow, or elsewhere—particularly Page 114?

A. That, I have no Doubt, was copied at Lucknow.

Q. Do you mean to say, that when the same Letter appears by that Book and by the Leaves that were added, upon Two Leaves, namely, the Page 114, which is in the bound Book, and upon 115, which is upon the loose Leaves: Do you mean to say the same Letter was Part of it copied at Lucknow, and Part of it at Calcutta?

A. It certainly does appear so.

Q. Do you mean to say, you so understand it?

A. I certainly do; for I know this Part of the Letter was copied at Lucknow, and this at Calcutta: I know it from the Hand-writing.

Q. Is it the same Hand-writing?

A. No, it is not.

Q. Can you account, then, why a Part of the same Letter was copied at Lucknow, and another Part of the same Letter copied at Calcutta?

A. I have already remarked to your Lordships, that I cannot account for any Deficiency in the Correspondence, further, than that I did not consider it to be a complete Copy of the Correspondence; and I never delivered it as such. The Copies of those Letters, I take it for granted, were made under the Direction, or the Inspection, of Mr. Johnson, whose Writer, I observe, has copied them.

Q. Which are those?

A. The loose Leaves.

Q. (from a Lord.) You have said repeatedly, those Books were made for your own private Use; being so, have they been in your own Custody ever since you have been in England?

A. They have been, ever since I have been in England, in my own Custody, till they were taken from me by Order of the House of Commons.

Q. Whether, previous to your coming to England, between the Time of your leaving Calcutta and the Time of having received those Books, they were in your Custody; or, if not, in whose Custody?

A. They certainly were not in my Custody the whole Time; they were a considerable Part of the Time in Mr. Johnson's Custody. Mr. Johnson himself had Charges preferred against him by the Governor General and Council; and there are several Letters written in this Book to which it was necessary he should refer; and for that Purpose the Letter Books were put into his Custody, by me; how long they remained there, I cannot pretend to say.

Q. Were they put into his Custody by you?

A. By me.

Q. But you say, ever since you have been in England, they have always been in your Custody, until they were delivered to the House of Commons?

A. Yes.

Q. Whether you have had present Occasion to look at it, or never to have used it since it has been in England?

A. I have looked at it occasionally.

Q. Do you recollect to have observed, whether those loose Leaves were in, when you first looked at it?

A. I cannot say I have any positive Recollection upon the Subject, but I have no Doubt they were.

Q. I

Q. I understand you to have said, you do not recollect having been present when the Affidavits were sworn to before Sir Elijah Impey; but I wish to ask, Whether you ever did introduce to Sir Elijah Impey any of the Persons who went to make Depositions or solemn Declarations before him?

A. At this Distance of Time, I cannot take upon me to say, I might not introduce some Gentlemen that made Affidavits. Myself and the rest of the Gentlemen went Twenty Miles to meet Sir Elijah Impey; I introduced to him every Gentleman that was with me at the Time.

Q. Whether you ever carried any of them, in order to their making their Affidavits?

A. Most certainly not.

Q. Who is the Person stated in One of the Affidavits to be the Rajah of Gwallior? What is his Name, do you know?

A. I apprehend it is a Mistake. It cannot be Gwallior; that is at a very considerable Distance from the Scene of Action. That is One of the Forts belonging to the Mahrattas.

Q. Do you know who is meant by that Name to the Affidavit?

A. I do not know.

Q. There is a French Affidavit of One Jean Honore Mordelait, Private of the Company of Chasseurs. Then there is an English Translation; but the French says, 'qu'ils furent entourés pendant deux Heures qu'ils y restèrent par environ deux ou trois mille Gens qui les insultèrent grossièrement, et particulièrement les accusa * d'avoir assassiné le Raja de Gualier;' (a) and, as that is translated in the English, 'particularly accused them of having assassinated the Rajah of Gwallior;' (b) do you know who is meant by this?

A. I do not know any Place of that Name, but the One I have mentioned.

Q. Do you know who is meant?

A. I do not.

Q. Do you know of such a Person as the Rajah Mustapha Khan?

A. I have heard of such a Person.

Q. What Country was he Rajah?

A. He was a Rajah, or had been a Rajah, either in Baraitch or Goruckpore; but in which particular Place, I cannot just now recollect.

Q. In what Country is the Place called Gwallior? Where is that Place? In what Country?

A. That is in the Mahratta Country.

Q. Do you know of such a Person as the Rajah Guggat Sing?

A. No, I do not.

Then the Witness's Letter Book, marked A, was shewn him, and he was asked,

Q. Do there appear to be any Leaves torn out at the End of that Book?

A. There are loose Leaves in this as well as in the others. I cannot say whether there have been any torn out, or not. It does not appear to me there have. I must once for all observe, if I had expected so strict an Examination concerning these Books, I should most certainly have taken better Means to ascertain the State of them.

Q. Whether there is not a loose Thread, which shews some Leaves taken out? Does it so appear to you?

A. It is a Matter upon which any Body can judge as well as myself: It does not appear to me they have.

Q. Do you not suppose those loose Leaves did form a Part of that Book, and that they have either been torn or dropt out?

A. They do not appear ever to have been bound up with the Book, as far as my Observation goes?

Q. Look at the Date of the last Letter in that Book, and the Date of the first Letter among the loose Leaves.

A. I have looked at them.

Q. Do the loose Leaves appear to be a Continuation of the Correspondence in the bound Part of the Book?

A. Yes; they do.

Q. Name the Dates: here are two of the 19th of October, and then comes one of the 20th of the same Month: What is the Date of the last Letter bound in the Book?

A. The 19th of October.

Q. The next is a Letter of the 19th, and the next the 20th: Is it so?

A. Yes; it is.

(a) Vide supra, Page 264, Line 12 from the Bottom.

(b) Vide supra, Page 265, Line 7 from the Bottom.

Q. Now look at the Water Mark of this Paper, and the Water Mark of the other; are they the same Paper?

A. They are certainly not the same Paper.

Then the following Letter from Major Gilpin to Mr. Middleton was read, from the same Book, beginning at Page 119.

“ To Nathaniel Middleton Esquire, Resident at the Vizier’s Court at Lucknow.

“ Sir,

“ The inclosed Letter from the Bow Begum is in reply to yours, which I delivered on my Return to this Place.

“ She observes to me, that her Situation is truly pitiable, her Estate sequestered, her Treasury ransacked, her Cojahs Prisoners, and her Servants deserting daily from her for want of Subsistence, that she has solicited the Loan of Money, to satisfy the Demands of the Company, from every Person that she imagined would or could assist her with any; but the Opulent will not listen to her Adversity. She did hope the Wardrobe that was sent to Lucknow might have sold for at least one Half of the Company’s Demands on her, but even Jewelry and Gold she finds (from woeful Experience) loses its Value the Moment it is known they come from her.

“ That she has now solicited the Loan of Cash from Almas’s Ally Cawn, and if she fails in this Application, she has no Hopes of ever borrowing a Sum equal to the Demand.

“ She thanks you kindly for your Friendship towards her, and hopes you will lay the Copies of those original Letters, which I gave you to read, before the Honourable the Governor General and Supreme Council, to convince them, that the Information they received respecting any rebellious Principles on her Part, at the Time of Cheyt Sing’s, was wicked and without Foundation.

“ The above, Sir, is the Substance of Conversation, on her Part, to the urging Arguments which I have used to obtain the Balance.

“ I have the Honour to be,
Sir,

“ Camp, at Fyzabad,
19th October 1782.

Your, &c. &c.

(Signed)

Martin Gilpin,
Major Commandant.”

Then the following Question was put to the Witnesses :

Q. Where are the Enclosures from Major Gilpin mentioned in that Letter; and how come they not to appear in that Book?

A. The Enclosures from Major Gilpin were Letters from Colonel Hannay and Captain Gordon, of which I took Copies; at this Time I was just leaving Lucknow; I took Copies and left them in the Office at Lucknow; the Originals I returned.

Q. Whether, if those Enclosures had been copied in that Book, they would not have immediately followed the Place in that Letter Book, instead of those Leaves?

A. Those Enclosures were Persian Letters. If I had made Translations of them, I should in all Probability have let them follow the Letters themselves; but I believe it will not be found that there is a Translate of a Persian Letter throughout the whole Book; it was not my Method to put them in.

Q. What were the Copies of the Letters you left at Lucknow, of which you state you returned the Originals; in what Language?

A. In Persian.

Q. Were the Copies left in Persian?

A. In Persian.

Q. Have you not constantly been used, and was it not your Duty, to translate Persian Correspondence, and to leave the English Copies in the Office?

A. It was not the Practice of the Office.

Q. How came Major Gilpin by the English Copies of that Correspondence?

A. It is impossible for me to say; Major Gilpin in all Probability may be able to inform your Lordships; I do not know.

Q. (by Counsel.) Where is Major Gilpin?

A. In London.

Q. (by the Managers.) By what Means did you understand the Contents of those Letters, or how were you to lay them before the Governor General, if they were not translated?

A. I conceived I was to lay the Originals themselves before the Governor General. I imagined that was the Intention; but being removed just at this Time from my Situation at Lucknow, I thought I fulfilled my Duty, in taking Copies of the Letters, and leaving those Copies in the Office. I believe the Letters were returned back into Major Gilpin’s Hands, to be delivered to the Begum.

Q. Were those the Letters you copied in Persian ?

A. Those were the Letters I copied in Persian.

Q. Do you mean to swear, you had no Translation made of those Letters ?

A. I do not remember that I had, and I am pretty certain I had not ; I had not Time for it.

Q. Then how did you come to the Knowledge of the Contents ?

A. I understand the Persian Language enough to read them and understand them.

Q. Did you copy them yourself in Persian ?

A. No, not myself.

Then the abovementioned Letter, from Major Gilpin to the Witness, dated the 19th of October, was read again.

Q. (*from a Lord*). There was a Letter from the Bhow Begum, enclosed together with other Letters, which were to vindicate her Conduct respecting her Part of the Rebellion, all to be transmitted to the Governor General and Council ; were the Copies transmitted to the Governor General and Council ?

A. No, they were not by me ; I was just at that Time giving up my Situation to Mr. Bristow at Lucknow ; what I did, therefore, was to take Copies and leave them in the Office.

Q. (*from a Lord*). Having received such an express Request from the Bhow Begum, to transmit them to the Governor and Council, had you not Leisure enough, between the Receipt of them and your Departure from Lucknow, to have given Directions to have those Copies sent to Calcutta ?

A. There certainly was, if it had occurred to me as immediately necessary. I took it for granted, my Successor would do what was right respecting the Letters.

Q. Why did you not, as you yourself were going to Calcutta, carry these Papers with you ?

A. It did not occur to me to do it.

Q. (*from a Lord*). How long was it after the Receipt of this Letter from Major Gilpin, that you left the Resident's Office at Lucknow ?

A. I cannot say to a Day ; it was immediately upon it, almost.

Q. Was it a Week ?

A. In less than a Week.

Q. Was Mr. Bristow arrived in Lucknow before you left Lucknow ?

A. Yes, he was.

Q. How long ?

A. About Two Days. I staid there about Two Days after his Arrival.

Q. You have said, that you knew the Contents of these Letters, from the Knowledge you had of the Persian Language ; did Colonel Hannay, to your Knowledge, understand the Persian Language ?

A. I do not know that he could read it ; I believe he understood it when it was read to him.

Q. Did Major McDonald understand the Persian Language ?

A. I do not know ; I rather think he did ; I think that he had some Knowledge of it.

Q. Are you sure of that ?

A. I am not sure.

Q. Did Captain Williams understand the Persian Language ?

A. I really do not know.

Q. Did Captain Gordon understand it ?

A. Captain Gordon, I believe, did very well.

Then the following Extract of a Letter, from Mr. Hastings to the Witness, dated Chunar, 15th November 1781, was read.

“ Respecting the Levies made at Fyzabad, the March of Shake Cawn with a Force declared for the Service of Cheyt Sing, the public Invitations of Jewar Ally Cawn, the Certificates under the Seal of Cheyt Sing, in the Possession of the Zemindars of Gorookpoor and Baraick, his Letters to the Begums or their Ministers, the Plan concerted for the Extirpation of the English, I must earnestly recommend it to you to obtain such Evidence as can be required respecting each of these Points, whether such Evidence shall ascertain or refute, or qualify their Reality ; and, if it be possible, to gain Possession, of the original Letters and Certificates, said to have been written by Cheyt Sing, as abovesaid.

“ You will be careful to ascertain the Dates and Places of Facts, and the Names, and Places, and Persons, in the Depositions taken, that their Evidence may not be defective or ambiguous from the Want of Precision.

" Respecting the Murders said * said to have been committed at Gopeegunge, I have already * *Sic in Orig.* written to you, and now send you a Duplicate of my Letter on that Subject.

" I also send you the Form of a Caption, or Introduction to each Deposition, of which you will be pleased to furnish Copies to each of the English Gentlemen who shall have Occasion for the Use of them. The Depositions of the native Witnesses must be written in the Languages which they understand, and must be verified on Oath, and signed; or, if they shall object to the Oath as contrary to their religious Tenets, they must be required to subscribe such a solemn Attestation as shall be equivalent to the Sanction of an Oath, and add your Signatures to it.

" I am, Sir,

Your most obedient Servant,

(Signed) Warren Hastings." (a)

Then the following Question was put to the Witness:

Q. Did you not understand this to be a Direction to you, personally to be acquainted with the Purport of the Depositions then to be taken?

A. No, I did not understand it in that Extent, certainly: I understood it only as a general Instruction.

Q. Weigh your Answer a little. The Words are—" You will be careful to ascertain the Dates and Places of Facts, and the Names, and Places, and Persons, in the Depositions taken, that their Evidence may not be defective or ambiguous, from the Want of Precision."—Upon reading that again, do you, or not, understand the Duty put upon you was, to see that the several Depositions that were to be taken under that Authority, should be exact in all those Points?

A. It is more particularly worded, certainly, than I hitherto before understood it. I understood it only as a general Instruction for the Form of the Affidavits that were to be taken; and having communicated it to Colonel Hannay, who was the Commanding Officer of all the Gentlemen that were to depose, I thought I had fulfilled the Line of my Duty.

Q. Do you know, upon your further Recollection, or wish to have it understood, that the Whole of your Duty was performed, by only communicating the Letter to Colonel Hannay?

A. I certainly wish your Lordships to understand it. I wish to give you every Information I am capable of giving; I have informed you, to the best of my Recollection and Knowledge, what I did; if I have failed in my Duty, I am in the Judgment of your Lordships.

Q. (*from a Lord*). There is another Part of the Letter which says: "The Depositions of the Native Witnesses must be written in the Languages which they understand, and must be verified on Oath, and signed; or if they shall object to the Oath, as contrary to their religious Tenets, they must be required to subscribe such a solemn Attestation, as shall be equivalent to the Sanction of an Oath; and add your Signatures to it."—Now, Colonel Hannay not understanding (as you say) the Persian Language, so as to read it, how could you be made certain, through the Communication of Colonel Hannay, that any one of those Witnesses did, in fact, understand what they put their Names to?

A. At the Time I communicated that Letter to Colonel Hannay for his Instructions, I did not know whether any Natives, or who, were to make their Depositions upon this Subject.

Q. Do you know whether any Natives, in fact, did make Depositions upon that Subject?

A. I knew it only from the Narrative of Mr. Hastings afterwards; I do not recollect that I knew, or had heard before, that any Natives made Depositions.

Q. You said you was with Sir Elijah Impey at the Time; refer to the Affidavits, and see whether Seven Natives did not make Depositions upon the 26th of November, and you yourself make your own Deposition upon the 27th of November: Were you ignorant of those Seven Natives having made Depositions the Day before you deposed?

A. Certainly: Sir Elijah Impey and myself resided in different Houses, he received his Visitors without my Knowledge, or my Introduction.

Q. Did you know nothing of this going on, only except simply that you made your own Affidavit?

A. I knew that Colonel Hannay and his Officers were making Affidavits. At the same Time, I can say I certainly did not know who was to make Affidavits before Sir Elijah Impey.

Q. Do you remember, whether Sir Elijah Impey dined with you upon the Day you made your Affidavit?

A. I do not recollect whether he did or not.

Q. Did you understand that the Witnesses prepared their own Affidavits?

A. Yes; the British Officers, I understood, prepared their own.

Q. As to the Natives, you know nothing of it?

A. No, I do not.

Q. You did not know, at the Time Sir Elijah Impey was at Lucknow, that any Natives had made Affidavits?

A. I cannot say I positively knew it; I might have heard of it. I really cannot say I positively knew it, that any Native had made an Affidavit before Sir Elijah Impey.

Q. Whether, in the Execution of other Parts of your Instructions, you did not do the material Business yourself? I mean, whether, when you was instructed in other Points, you left it to Colonel Hannay, or any other Person?

A. I have occasionally left other Parts of my Duty to another Person, to my Assistant, most certainly.

Q. Whether, in executing those Parts of your Instructions that related to the Resumption of the Jaghires, and the Seizure of the Begums Treasure, you executed them yourself, or left them to any other Person?

A. As far as appears before your Lordships, I certainly executed them myself in Person; I did not entrust them to any Body else.

Q. (*by a Manager.*) You have said, the Originals were sent to you, and that you made Persian Copies of them, and left them in your Office; whether that was the Custom of your Office ever to take a Persian Copy of a Persian Letter, or whether it was not the invariable Course to have a Translate of all the Persian Correspondence, and to enter the English Copy?

A. It was not the invariable Custom of my Office, and I believe it was a Custom used in very few Instances indeed. From the Number of Persian Letters the Resident received, it was impossible he could translate them. Such as were of Consequence, and necessary to send down to the Governor General and Council at Calcutta, were occasionally translated.

Q. Whether all the Letters that were thought of Consequence enough to be transmitted to Calcutta, were not invariably translated, to be so transmitted?

A. I believe the Practice was both Ways; occasionally a Persian Copy, and occasionally a Translation was sent: The Custom, in either Case, was not invariable.

Q. If either of those Two Modes were pursued, whether your leaving Copies in the Office would not have led your Successor to have imagined they had been transmitted to Calcutta?

A. Most likely not, as he would have perceived, from the Publick Correspondence, there was no Mention of their having been so sent to Calcutta.

Q. Will you positively swear, that Mr. Gilpin did not bring you English Copies with those original Letters from the Begums?

A. I am as positive as I can be to any Circumstance, at this Distance of Time: Major Gilpin is in London at this Time, and I wish him to be asked. As far as my own Memory goes, most undoubtedly he did not.

Q. Whether the original Persian Letters were brought to you only by Major Gilpin from the Bhow Begum?

A. To the best of my Memory, only the Originals.

Q. In a Letter from the Bhow Begum to Mr. Bristow, she says, "the Letters of Thanks I received from both these Gentlemen, are still in my Possession; Copies of which I gave in charge to Major Gilpin, to be delivered to Mr. Middleton, that he might forward them to the Governor General. To be brief, those who have loaded me with Accusations, are now clearly convicted of Falshood. But is it not extraordinary that, notwithstanding the Justness of my Cause, Nobody relieves my Misfortunes. Why did Major Gilpin return without Effect?"—Upon what Ground was it, that, Four or Five Days afterwards, the Begum should write to Mr. Bristow in the Manner she did? How do you understand that Expression of the Begum's—"Why did Major Gilpin return without Effect?"

A. It is impossible I can give any Construction to it. I wish, for my Satisfaction, as my Testimony seems to be doubted, Major Gilpin himself may be asked, whether he brought Copies or not.

Q. Whether, to the best of your Remembrance and Belief, you declare the Book D, to be now in the same State in which you received it from the Bookbinder at Calcutta?

A. To the best of my Belief it is. But I must still beg an Allowance for what I have already stated: To the best of my Belief, they are in the same State as I received them from the Bookbinder in Calcutta, with the Addition of these Leaves afterwards.

Q. Did you ever receive a Book from the Bookbinder in that mutilated State, with a great Number of loose Strings to which no Leaves were attached?

A. It will be necessary for me to look at such Books as I may have received from the Bookbinders, before I can answer that Question.

Q. But if, instead of being intire and perfect, a Bookbinder had sent you a Book, a broken Book, and Strings out of it, would it not have occurred to you to have observed upon the Circumstance?

A. Most certainly it would.

Q. Did

Q. Did you observe any such Circumstance when this Book was so delivered?

A. I cannot say I did: The Bookbinders in that Country and in this are upon a very different Footing.

Q. But if a Bookbinder in that Country had sent you a Book with loose Threads standing out, and Part of the Contents of it, would you not have thought it a very slovenly Thing?

A. Certainly.

Q. Did any such Thing strike you, when these Books were received?

A. No: I cannot say it did; but these Strings may have been left for Letters to be subsequently copied. I cannot pretend to say, as I already informed your Lordships; I cannot give any account of the State of those Books farther than I have already done.

Q. You stated, in a former Part of your Evidence, that you left your official Correspondence at Lucknow in a complete State, and that you took not complete, but partial Copies, of that Correspondence for your own Use. One Part of the Letter is copied at Lucknow, and the other Part at Calcutta: What I wish to ask is, by what Means they had, at Calcutta, a Copy, from which to make a Transcript of that Part of the Letter which was copied at Calcutta, in the Book D, on the loose Leaves?

A. It must have been in the Book, no Doubt.

Q. In the Book itself?

A. In the Book itself.

Q. Then it must have been torn out?

A. I suppose so: I cannot account, by any Circumstance, in what Manner it has been torn out, or in what Manner those loose Leaves have been supplied.

Q. But I understand you to say, as to the Letter, which is now in Two different Shapes, that the Remainder must have been copied from a Letter that existed in the Book?

A. I suppose it must have been in the Book.

Q. Can you give any Account of that Letter having been torn out of the Book, in order to be transcribed upon the loose Leaves?

A. I cannot: I can only declare most positively, it was not torn out by me, or with my Knowledge, or by any Body with my Consent. The Book, as I before observed to your Lordships, was some Time in the Custody of Mr. Johnson and his Writers, in Calcutta.—I will farther inform your Lordships, I most firmly believe, those Books contain all the publick Letters that were ever written upon that Subject. Notwithstanding the State in which they appear, I believe there is no publick Letter whatever destroyed: that is my Belief.

Q. Do you make that Declaration upon a careful and accurate Perusal of the whole Correspondence, or upon what other Ground?

A. Upon my own Belief founded upon this, that I cannot assign any Motive for the Destruction of any one of those Letters.

Q. Did you, upon your Arrival at Calcutta, communicate, either to the Council, or the Governor General, the Substance or Contents of the Letters which came from the Bow Begum, that were transmitted to you by Major Gilpin?

A. I do not recollect that I did.

Q. What Inducement had you for suppressing from the Knowledge of the Governor General and Council, that which the Bow Begum considered as so material to her Defence and Justification?

A. I had no Inducement or Motive whatever. When I delivered up my Office at Lucknow, I considered it as the Duty of my Successor, Mr. Bristow, to deliver those Letters, and make what Use of them he thought proper.

Q. In a Letter, dated December 6th 1781, do you remember the Words “the Measure heretofore proposed will soon follow the Resumption of the Jaghires”—Do you remember that Passage in the Letter?

A. I do.

Q. What did you understand was the Measure heretofore proposed?

A. The seizing of the Begum's Treasures.

Q. What do you understand by, “heretofore;” was it prior or subsequent to the Treaty of Chunar?

A. Long after the Conclusion of the Treaty of Chunar.

Q. How do you understand, that in a Letter of yours, of the 6th of December, in Answer to the Communication made to you, by Sir Elijah Impey, in which you use the Words, “the Measure heretofore proposed,” and that “heretofore” being necessarily prior to the Date of the Order, communicated by Sir Elijah Impey, it could be long subsequent to the Treaty of Chunar?

A. The Treaty of Chunar was concluded the 19th of September, and this was in December.

Q. Repeating those Orders so received, and mentioning this particular Measure, under the Description of a Measure heretofore proposed; how can you state it to have been long subsequent to the Treaty of Chunar? What do you mean by the Words, "long subsequent to the Treaty of Chunar?"

A. I mean some Months.

Q. By, the Measure heretofore proposed, am I to understand you had any Knowledge of the Measure of seizing the Treasures, previous to the Communication made by Sir Elijah Impey?

A. Not from Mr. Hastings, certainly. I have observed, in my former Examination upon this Subject, that I recollect having a Conversation with the Vizier, or his Minister, or both, upon the Subject; but from Mr. Hastings I certainly had not.

Q. Then you mean, heretofore proposed by the Nabob, or any other Person?

A. I refer it to the Proposition of the Nabob.

Q. You stated, that the Nabob had repeatedly declared to you the Nabob's Opinion of his Right to take the Begum's Treasures; did the Nabob ground his Opinion of this Right upon any Circumstances of the Begum's supposed Rebellion to him the Nabob?

A. He did not plead that as the Foundation of his Right; but that it was his Right by the Laws and Customs of the Country.

Q. (*by the Managers.*) If it was usual for the Princes of Indostan to demand of the Jageedars the Overplus of the Produce of the Jagheerdary beyond the Rent at which they were granted?

A. I believe it is not usual.

Q. Whether you recollect any Instance of it, and what?

A. I have some Recollection of the Nabob's making a Claim of that Sort upon Fyzoolla Cawn.

Q. Was that Claim upon Fyzoolla Cawn a total Resumption of the Whole, or only of the Surplus of the Produce beyond the Rent at which it was granted?

A. I believe the Nabob's Wish was to resume the whole Jaghire, and to have allowed Fyzoolla Cawn the Amount for which it was originally granted in Money.

Q. Whether the Persons who copied the Letters, or the loose Papers in the Books, are now in England?

A. I believe not; they will be found to be copied in Four or Five different Hand-writings: Some were copied by the Natives of the Country; the others by the Black Portuguese. I do not know that either of them are in England.

Q. Is Mr. Johnson in England?

A. No.

Q. You said, if you had known you should have been examined so strictly upon this Point, you would have endeavoured to have got better Information upon the Subject. What better Information could you now get upon it?

A. I believe my Answer has been mistaken; my Observation upon it, and my Meaning was, that if I had expected so strict an Examination of the Papers, I should have taken care they should have been in a State more proper for your Lordships Inspection.

Q. You have stated, that the Nabob claimed a Right to the Treasures in the Possession of the Begums; whether, after the Treaty in 1775, the Begum was understood to have obtained a perfect Right to those Treasures when she had given up Fifty-six Lacks to her Son?

A. Certainly: she understood herself to have a perfect Right to them, as they were guaranteed to her by her Agreement between the Nabob and the English.

Q. Was that perfect Right allowed by the Nabob?

A. I cannot say it was entirely; he certainly would have taken her Treasures from her, or some Part of them at least, if he had not conceived we should have prevented him: that was my Opinion of his Disposition.

Q. Then, the Nabob had never renounced his Claim to his Treasures?

A. He certainly renounced them by his Agreement with the Begum.

Q. Whether when it is stated, that the Begum had a Right to all the Effects in the Zenana, that extended to all the Effects there, Treasures, and others, or only to her personal Effects?

A. To the Nabob's publick Treasure, which I understood to be in the Zenana.

Q. Was her Right then established upon the Treaty of September 1775?

A. Yes, it was.

Q. You have stated, that a certain Person at Calcutta copied the loose Leaves that are now in Court; if he copied them, he must have copied them from something; from what did he copy those loose Leaves? Did you mean to say, that the Person who copied the loose Papers, must have copied it from a Leaf in the Book at the Time he took the Copy?

A. I should suppose it could be no otherwise.

Q. If all those Letters, now copied upon the loose Leaves, were at that Time in the Book, and the Book compleat, why did you cause that Copy to be made upon the loose Leaves; did you cause a Copy of the loose Leaves to be made?

A. I do not recollect I did: the Letters are, by their Dates, Letters I received or wrote after I arrived in Calcutta.

Q. I understand you said this Book was for your Use, was it not you who caused that Book to be copied?

A. Certainly, I gave Directions for it to be copied.

Q. Did you, or did you not, give any special Directions for those loose Leaves to be copied?

A. I do not recollect that I did give any special Directions about it.

Q. Who was the Person that copied them, do you know the Hand?

A. They are in Two different Hands, Two Black Portuguese Writers.

Q. Who did those Writers belong to, in whose Service?

A. The one was in Mr. Johnson's, the other in my Pay, at Calcutta.

Q. What are the Names of those Persons?

A. I cannot recollect their Names at this Time.

Q. Are they in England?

A. No, certainly not.

Q. (*by Counsel.*) How soon after you received the Orders of the House of Commons, for the Production of those Books, did you comply with that Order?

A. The next Day, to the best of my Recollection.

Q. Whether, at any Time since you left Calcutta, you have, directly or indirectly, altered, or procured to be altered, or permitted or known of any Alteration being made, in any manner whatever, in it?

A. No, certainly not.

Q. Have you known of any Alteration, since you left Calcutta?

A. No.

Then the House adjourned to the Chamber of Parliament.

Die Martis, 20^o Maij 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons acquainted the House, they would now proceed very shortly to shew, that whatever the Circumstances of the Danger might have been pretended to be in the Dominions of Oude, before the Time of signing the Treaty of Chunar, yet, after that Time, and after the Seizure of the Treasures was determined upon, no State Necessity whatsoever existed, upon which the Defendant could pretend to justify that Measure.

Read, the following Extract from the Appendix to the Benares Narrative, beginning at Page 52 of the same.

NUM. 4. B.

“ Copy of a Letter from the Governor General to Colonel Muir; dated Chunar, the 10th of September 1781.

“ To Colonel Muir.

“ Sir,

“ I have lately sent you Dispatches in Duplicate, containing Instructions and full Powers for negotiating and concluding a Treaty of Peace with Mahdajee Scindia, either for himself separately, or with a Reservation in favour of the Peashwa, in case it should be agreed to include him as a Party in the Treaty. I have since received Intelligence that one of my Dispatches has been intercepted, and it is not unlikely that the other may meet with the same Fate. I have also sent a second Letter, of the same Substance with the first, but without Credentials. As the present Opportunity promises a more safe Conveyance, I now send you a Duplicate of my last Letter of Instructions, together with a more full and regular Commission than it was before in my Power to forward to you.

“ I had Yesterday the Pleasure to receive your Letter of the 17th ultimo. The one which you mention to have written on the 13th has not reached me; I imagine it has fallen into the Hands of Cheit Sing's People. It is with great Satisfaction I observe, from the Deputation of Chimnajeef Row, that Mahadjee Sindia has in some Degree anticipated the Overtures of this Government, and that the general Expressions of a Desire of Peace, used at his first Interview with Mr. Ford, indicate a Disposition so consonant with our own. If Sindia should urge the Return of your Detachment beyond the Boundaries of his Dominions, I see no Objection to this Condition being granted; on the contrary, I desire it. There can be no Use for the Continuance of the Detachment after Peace is concluded, nor will there be any Thing in the smallest Degree dishonourable in agreeing to its Return.

“ The Objects of its Equipment were, to divert Mahdajee Sindia from the Operations on the other Side of India, or to withdraw him from the Alliance of the Ministers of the Peashwa; and these Objects having been effected, its Return becomes a natural Consequence.

“ We are under no Engagements to protect the present Dominions of the King, nor those of Nudjiff Khan and the Rajah of Jaynagar; and if Peace is settled betwixt Mahdajee Sindia and us, I do not desire that he should be restrained in carrying into Execution any Plans which he may have formed against them; at the same Time, I think it necessary to caution you against inserting any Thing in the Treaty which may expressly mark either our Knowledge of his Views or Concurrence in them. It will be sufficient for us (and Sindia ought to be satisfied with the Latitude implied in it), if he is only restricted in the Treaty from making Encroachments on our own Territories

tories and those of our Allies, the Nabob Vizeer, the Ranah of Ghode, and Futteh Sing Guyewar: For these, an express Provision must be made. He must in direct Terms engage, that he will never invade, or in any respect molest them, as we will in the same Manner stipulate with respect to his Territories. In my Letter of the 29th ultimo; I instructed you to obtain the Restoration of the Chundery Rajah, and to secure the Interests of the Rajah of Nurwar, and any other Chiefs who have been active in our Cause. This Subject I must now leave to your Discretion, as it is not in my Power to send you such explicit Instructions as I could have wished, not having Access at present to your and Colonel Camac's Letters, which point out the Nature and Extent of our Connections with each of these Rajahs, and the Claims which their past Services may have given them to our Protection. In discussing their Interests, we must make a Distinction betwixt actual and implied Engagements. No actual Engagements whatever exist between us and any of these Rajahs: Such of them however as have taken an active Part in our Cause, are entitled to some Degree of Consideration. You who are on the Spot can best judge of their several Merits, and will attend to them, as far as you may be able, without hindering the more important Objects of our Negotiations.

" It seems probable, that few Difficulties will arise in settling a separate Treaty with Mahdajee Sindia; and this is the Object which I have principally at Heart. Let it not be impeded or retarded by the Obstacles which may occur in adjusting the more complicated Matters remaining in Dispute betwixt us and the Peashwa. A Peace with the one must soon produce a Peace with the other. Let an Opening be left for it in the Treaty with Sindia, on the Terms I have mentioned; and though these Terms comprehend in our Favour every Object which we could desire, yet they are, on the Whole, so advantageous to the Peashwa, that I think his Ministers will acquiesce in them, rather than continue a precarious and expensive War, deprived of the Support and Assistance of Mahdajee Sindia.

" It will be necessary to stipulate, that in case they shall not accede to the proposed Terms of Peace, Mahdajee Sindia shall not, directly or indirectly, assist them, or suffer any of his Tributaries or Subjects to assist them, with Men, or Money, or Arms, or any other Means of carrying on the War against us.

This must be either expressly stipulated, or so clearly and strongly implied, that no Doubt shall remain regarding it.

" In the Event of a Peace being settled with the Peashwa, it will perhaps be thought proper to recall General Goddard's Detachment, and their best Route lies through Mahdajee Sindia's Territories. With a View to such an Event, you will stipulate with Mahdajee Sindia, that he shall allow them a free Passage, and assist them in procuring Provisions and other Necessaries on the Road.

" I enclose a Letter which I have written to Sindia, informing him of the Powers which I have delegated to you, and desire that you will urge him to an immediate Decision on the Propositions which you have to make to him. Inform him, that any Delay or Evasion on his Part may preclude an Accommodation for ever; and that by your Answers I shall be regulated in entering into another Plan of Connections, which will not only prove an insuperable Bar to the Views he has at present formed on the Northern Provinces, but draw such a powerful Attack on his own Territories as must infallibly end in his Expulsion and Ruin.

" If after the Conclusion and Execution of the separate Treaty with Mahdajee Sindia, he should desire to promote a Peace between us and the Peashwa, I will appoint a Person with full Powers to negotiate the same, through the Channel of his Introduction and Mediation.

" I am, &c.

Warren Hastings." (a)

Read, also, the following Extract from the said Appendix, beginning at Page 13.

" NUM. I. F.

" Second Minute of the Governor General, containing his Answers to possible Objections to be made against the several Parts of his Agreement with the Vizeer.

" To the first Article it may be objected;

" 2dly, That the internal Safety of the Nabob Vizeer's Dominions will not admit of our immediately withdrawing our Officers from his Service." (b)

" 2dly, This is not our Concern, if the Nabob, whose it is, affirms the contrary; and though it may eventually affect us, we should be less liable to suffer by a remote Contingency, than by the immediate Privation or Dissipation of our own Troops, employed in Anticipation of possible Evils affecting us through him, while our own Exigencies immediately demanded their Exertions. But in Truth, I much suspect the Po-

(a) Vide supra, Page 176.

(b) Vide supra, Page 144.

sition; having been too much accustomed to the Tales of hostile Preparations and impending Invasions, against all the Evidence of political Probability, to regard them as other than Phantoms raised for the Purpose of perpetuating or multiplying Commands. Who are the Invaders of the Doab and Rohilcund? Not the Marattahs; they are fully occupied in the Defence of their own Territories: Not the Sicks; they are engaged with Nudjiff Khan in an unequal War: And Nudjiff Khan, with foreign Concerns, with domestic Intrigues, and the Habits of late-acquired Sloth, and an unwieldy, unpaid, and licentious Army, can have little Leisure or Inclination to embroil himself in new Difficulties by a War with the Vizeer and the English." (a)

The Managers for the Commons acquainted the House, they would next read a Letter, to prove the Time when Mr. Hastings became acquainted with the Success of the English Arms in the Carnatic.

Read, from Book B, already delivered in, the following Letter from Mr. Middleton to the Governor General, dated the 28th of October 1781.

" To the Honourable Warren Hastings, Governor General, &c. &c. &c.

" Sir,

" I have been honoured with the Receipt of your Letter under Date the 24th instans, inclosing Extract of a Letter from the Honourable the Governor General and Council, communicating to you the first Intelligence of a complete Victory obtained by the Honourable Company's Arms, under the Conduct of General Sir Eyre Coote, over Hyder Ally Cawn, and an Address to the Nabob Vizeer on that Subject.—Permit me, Sir, to congratulate you on this happy Effect of the Measures of your Administration against the most powerful Opposition we have yet had to encounter in Hindostan, which cannot fail to promote our Credit and Influence in the publick Opinion, and to establish the Reputation of our military Character on the most solid and permanent Basis.

" I immediately waited on the Nabob with your Letter, who expressed much Satisfaction at the joyful Intelligence it conveyed, and directly announced it to his Subjects by the most publick Proclamation in his Durbar, and a Discharge of his Cannon, which was also followed with a Royal Salute from the Guns of the Honourable Company's Regiment stationed at Lucknow; and I have further taken care to make it properly known to all the native Powers with whom I have any Correspondence.

" Inclosed I have the Pleasure to forward you his Excellency's Congratulation on this fortunate Occasion; and am, with the greatest Respect,

" Sir,

" Lucknow,

Yours, &c. &c.

the 28th October 1781.

(Signed) Nathaniel Middleton."

The Managers for the Commons acquainted the House, they had now concluded this Head of the Evidence, and should next proceed to shew the Situation in which the Nabob Vizeer stood, with respect to the British Government in India:—They observed, it was alleged in the Charge, that the Nabob of Oude was in Substance and Effect, as well as in general Repute and Estimation, dependant upon and under the Controul of the Governor General: (b)—That this Allegation was positively denied by the Defendant, (c)—and therefore they should now produce Evidence to prove the abject State the Nabob was in to the Government, and his uniform Submission to the Will of the Governor General.

Read, the following Extract from Mr. Hastings's Defence at the Bar of the House of Commons, beginning at Page 211 of the same.

(a) Vide supra, Page 144.

(b) Vide printed Copy of the Articles of Charge, Page 10.

(c) Vide printed Copy of the Answer to the Articles of Charge, Page 14.

*" Charge the Fourth.***" PRINCESSES of OUDE. "**

" It is certainly not true, that the Nabob of Oude was ever under the Controul of the Bengal Government, in the Extent stated in this Charge. That the Resident, who represented the Council General, had an Influence at his Court, cannot be disputed; but it is notorious that the Acts of the Nabob's Government were, on various Occasions, remonstrated against, and ineffectually opposed by the Resident, as may be seen by the publick Correspondence of Messrs. Middleton and Bristow. It cannot, therefore, be admitted, that " the English Name and Character were concerned in every " Act of his Government, or in any not authorized by them."

" Allowing it to be true, that the Country of Oude was in a flourishing State, before our Interference, surely I cannot be chargeable with the Evils resulting from the System we established, since I gave all the Opposition I could to the first Introduction of it. The System was undoubtedly very defective, and generally prejudicial to the Nabob's Affairs, inasmuch, as it necessarily established a Degree of Interference in his Government, undefined by any precise Rule: which, however discreetly used, would not fail to weaken his Authority, and in many Cases to be productive of all the Evils consequent on a divided Government." (a)

Read, the following Extract from the Paper called, " The Second Defence;" beginning at Page 1 of the same.

" The Nabob of Oude, by the Privation of a considerable Part of his Patrimonial Estate, and the Enlargement of his Subsidy, was reduced to great and very early Distress. This I repeatedly predicted at the Time, that the Majority which constituted the efficient Government of Bengal in 1775 forced from the Nabob those Conditions of the Treaty concluded with him. From the same Causes his Army, which was enormous, became disaffected, refractory, and mutinous, so as at times to endanger his Person; because he had not the Means of paying their growing Arrears, nor of stopping the Evil by disbanding them. This threw him of course on the English Power for his Protection, and so far only was he dependent on it." (b)

The Managers for the Commons acquainted the House, they would next shew Mr. Hastings's own Account of the Origin and Progress of the Nabob's Vassalage, which they would substantiate afterwards by subsequent Evidence.

Read, from Book 84, already delivered in, the following Extract of a Consultation of the 29th September 1783, beginning at Page 282 of the same Book.

" Fort William, 29th September 1783.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

John Macpherson, } Esquires.
and

John Stables,

Edward Wheler Esquire, up the Country.

" The Governor General delivered in the following Minute, containing his Observations on Mr. Bristow's Letter and Defence.

" The Means by which our Government acquired this Influence, and its Right to exercise it, will require a previous Explanation: Both originated in our Connection with the Nabob Sujah Dowla. I found him a Dependant on the Company, or rather on the Commander in Chief of the Army. Under the Authority of the Council of which I was the President, in the Year 1773, I concluded a Treaty with him, which left him optionally free, but virtually dependant on our Government, by the reciprocal Obligations of it, which on our Part consisted in Military Assistance whenever he demanded it; and on his, the Payment of a fixed Monthly Subsidy for the Expenses attending it. He remained the absolute Sovereign of his own Dominions; and whenever he found the Presence of our Army, or the Ascendant of our Alliance, too powerful for his Ease or Dignity, he might free himself from both, by the Dismission of the former. But the Necessity of his Affairs rendered it unsafe or inconvenient to part with it, as was evinced by the Experiment of a few Months, in which the Army was remanded to our Frontier, and again recalled for his Service; and thus its Attachment to him, and the Kind of Tribute which he paid for the Use of it, were rendered permanent, but in such a Mode, as conduced to his Interest and Safety, without a Diminution of Personal Consequence. He was himself the Instrument of forming this Relation; he felt the Advantages of it; he experienced nothing humiliating in the Superiority of the Part assigned to our Government in it; and in the short Interval which followed the Construction of it, Two rich and extensive Members were added to his Paternal Dominions, besides that which he acquired with it. Let me add, without

Secret Dept.
Monday.

(a) Vide supra, Page 413.

(b) Vide supra, Page 362.

the Imputation of assuming too much Self consequence, that my personal Behaviour to him was invariably marked by a studied Respect. In public, I addressed him as my acknowledged Superior; in private, for only one Person was ever privy to our Conferences, I made my Demands in firm but decent Language; exacted his Compliance, by stating the Grounds of our mutual Necessities, without either Concealment or Exaggeration; and obtained, with his chearful and most willing Concession, the best Accession of a new Dominion, a Portion of the Wealth of a valuable and remote Territory, without the Burthen of its Administration. He parted from me contented; and if I may trust to those Assurances, which my Station may be suspected to have extorted from private Adulation, he publicly and frequently acknowledged the Obligations which he owed to me; and even in his last Moments recurred to them, in the Line of Conduct which he recommended to his Son and Successor, the present Nabob Affof u' Dowla.

“ With his Death a new political System commenced, and Mr. Bristow was constituted the Instrument of its Formation, and Trustee for the Management of it. The Nabob Aloph ul Dowlah was deprived of a large Part of his Inheritance, I mean the Province of Benares, attached by a very feeble and precarious Tenure to our Dominions; the Army fixed to a permanent Station in a remote Line of his Frontier, with an augmented and perpetual Subsidy; a new Army, amphibiously composed of Troops in his Service and Pay, commanded by English Officers of our own Nomination, for the Defence of his new Conquests; and his own natural Troops annihilated or alienated by the Insufficiency of his Revenue for all his Disbursements, and the prior Claims of those which our Authority or Influence commanded; in a Word, he became a Vassal of the Government: But he still possessed an ostensible Sovereignty, his titular Rank of Vizier of the Empire rendered him a conspicuous Object of View to all the States and Chiefs of India; and on the Moderation and Justice with which the British Government in Bengal exercised its Influence over him, many Points most essential to its Political Strength, and to the Honour of the British Name, depended.

“ This is not a Place, nor have I Room in it, to prove what I shall here content myself with affirming, that by a sacred and undeviating Observance of every Principle of Publick Faith, the British Dominion might have by this Time acquired the Means of its Extension, through a virtual Submission to its Authority, to every Region of Hindostan and Deccan. I am not sure that I should advise such a Design, were it practicable, which at this Time it certainly is not; and I very much fear that the limited Formation of such equal Alliances as might be useful to our present Condition, and conduce to its Improvement, is become liable to almost unfurmountable Difficulties. Every Power in India must wish for the Support of ours, but they all dread the Connection.

“ The Subjection of Bengal, and the Deprivation of the Family of Jaffer Ally Cawn, though an Effect of inevitable Necessity, the present Usurpations of the Rights of the Nabob Wallar Jau, in the Carnatic, and the licentious Violations of the Treaty existing between the Company and the Nabob Nizam ul Dowla, though checked by the remedial Interposition of this Government, stand as terrible Precedents against us. The Effects of our Connection with the Nabob Affof o Dowla had a rapid Tendency to the same Consequences, and it has been my invariable Study to prevent it, by the Removal or Restriction of every Authority or Influence derived from our Government which interfered with his, and by the Promise of whatever Means I might possess for withdrawing that Interposition of it in the internal Management of his Affairs, which we exercised in the Assignments made of Portions of his Revenue for the Payment of the Company's Debts, whenever he should either have discharged them, or could afford a Security for their Payment. It is not unknown to the Members of the Board, who composed it in the Beginning of the Year 1781, how much it was my Wish, even then, to return on a New Commission to the Residence of the Nabob of Owd, provided I could be entrusted with Powers to make such an Accommodation, for his Finances were daily diminishing; the Presence of the Representative of our Government enfeebled that of the Nabob in its executive Acts, and all the Provinces of his Dominions were gradually sinking into Decline, the Reproach of which, even from our own Countrymen, was cast upon our Government as the Cause of it.” (a)

The Managers for the Commons acquainted the House, they would next read the Treaty between the British Government and Sujah ul Dowlah in the Year 1768, to shew, before Mr. Hastings had secured and rivetted the Connexion of the Nabob, and before any other Bond or Connexion had been formed with him, that even at that Time the Court of Common Pleas thought the Governor General responsible for an Act of the Nabob's Troops, in the Case of Rafael v. Verelst and another, in Mr. Justice Blackstone's Reports, Vol. 2. P. 983 and 1055.

The Witness produced Book 127, intituled, “ Bengal Secret Committee, 1769.”

(a) Vide Appendix, N° LXIV.

Read, the following Extract of a Consultation of the 4th January 1769, beginning at Page 11 of the same Book.

“ Fort William, 4th January 1769.

“ At a Select Committee; Present,
The Honourable Harry Verelst Esquire, President;
Francis Sykes,
Richard Becher, and } Esquires.
Charles Floyer,

“ Read, the following Letter from Messrs. Cartier, Smith, and Russell.

“ Whereas unbecoming Rumours have been propagated abroad, which tend to the Interruption of the firm Friendship, Union, and Confidence, formerly established between his Highness the Nabob Sujah ul Dowlah, Vizier of the Empire, on one Part; and the Right Honourable Robert Lord Clive, and General John Carnac, in Behalf of the deceased Nabob Nudjim ul Dowlah, late Subadar of Bengal, Bahar and Orixa, and the English Company, on the other Part; Harry Verelst Esq. President and Governor of Fort William, and the Council thereof, with a View to the Removal of all Causes of Jealousy and Disagreement, and the Confirmation of a good Disposition on both Sides, have deputed John Cartier, Colonel Richard Smith, and Claud Russell, Three Members of the Council, from Calcutta, personally to confer with his Highness aforesaid: And whereas the aforesaid John Cartier, Colonel Richard Smith, and Claud Russell, after effecting an Interview with his Highness aforesaid, have Reason to be satisfied with his steady Attachment to the English, they therefore, in Behalf of his Excellency the Nabob Syfct Dowlah, Subadar of Bengal, Bahar, and Orixa, and the English Company, renew and confirm the former Treaty, Letter by Letter, and Article by Article; and his Highness the Nabob Sujah ul Dowlah aforesaid, doth likewise renew and confirm the said Treaty; and moreover, out of a pure Desire effectually to eradicate all Doubts and Jealousies, to establish the present Harmony on the most durable Basis, and to confirm the former Treaty, doth consent and agree, that the following Words shall be inserted as an Explanatory Clause in the said Treaty:—It is by the Advice and Consent of the President and Council aforesaid, agreed that his Highness shall not entertain a Number of Forces exceeding Thirty-five thousand Men, whether Sepoys, Cavalry, Peons, Artillery Men, Rocket Men, or Troops of any Denomination whatever; of this Number, Ten thousand are to be Cavalry, Ten Battalions of Sepoys, including Subadars, Jemadars, Havildars, and all Ranks of Officers, not to exceed Ten thousand Men; the Nujib Regiment consisting, of Five thousand Men with Matchlocks, to remain always in its present Establishment: Five hundred Men for the Artillery, and that Number never to be exceeded: The remaining Nine thousand five hundred Men are to be Irregulars, neither to be clothed, armed, or disciplined after the Manner of the English Sepoys, or Nujib Regiment. And his Highness also engages to arm none of his Forces, besides the Ten thousand Men mentioned in this Treaty, after the English Manner; nor to train them in the Discipline of the English Troops. In Consideration thereof, the said John Cartier, Colonel Richard Smith, and Claud Russell engage, in behalf of his Excellency the Nabob Syfut Dowlah, and the English Company aforesaid, that whilst his Highness Shujah ul Dowlah aforesaid, and his Successors, shall abide by the Articles of this Treaty, neither the present Council of Fort William, nor any future Council, shall hereafter introduce any new Matter relative hereto, besides what has been formerly agreed to, and is now concluded upon; and both Parties shall consider this Agreement as firm and binding. His Highness aforesaid shall swear upon the Koran; John Cartier, Colonel Richard Smith, and Claud Russell, upon the Gospel, never to infringe the minutest Part or Meaning hereof, and to maintain it themselves, and to transmit it inviolable to their Posterity.

(Signed)

“ Signed, sealed, and solemnly sworn to, according to their respective Faiths, by the contracting Parties, at Benaris, the 29th Day of November, in the Year of our Lord 1768, in the Presence of us,

Signed

Gabriel Harper,
C. W. Boughton,
W. H. Coxe.”

John Cartier. (L. S.)
Richard Smith. (L. S.)
Claud Russell. (L. S.)”

“ A Literal Copy.
W. H. Coxe,
Secretary to the Deputation.”

Read, the following Extract of a Consultation of the 4th October 1773, from Book 3, already delivered in, beginning at Page 522 of the same Book.

" Fort William, the 4th October 1773.

" At a Consultation; Present,
The Honourable Warren Hastings Esquire, being returned, now resumes his Seat at the Board as President; Secret Dept.
Monday.

William Aldersey,
Philip M. Dacres,
Henry Goodwin,
John Graham, } Esquires;

George Vanfittart Esquire, who is also returned with the Governor, and takes his Seat accordingly.

" The Governor delivers in to the Board the following Report of his Negotiations with the Nabob Suja ul Dowla at Benaras, and of his other Proceedings during his Absence from the Presidency, with all the Papers referred to in the Report.

" In the Course of our Conversation, the Vizier frequently expressed the Satisfaction which he had received from our Meeting, and from the friendly and confidential Intercourse which had taken place between us. Though such Professions are not always to be received in their literal Sense, I took Occasion from them to ask him, whether it would be agreeable to him that a Person in whom I confide should be appointed by me to reside near his Person, for the Sake of perpetuating and strengthening the good Understanding so happily begun, as well as for the Transaction of such ordinary Affairs as might not suit the Formality of a Correspondence by Letter, but which, in their Amount, are always found to be productive of important Effects? That I desired it myself; but unless it was equally his Wish, I would neither propose nor consent to it, as it would not, in such a Case, be productive of the good Effects which I meant to derive from it. He declared to me, that it would be entirely pleasing to him. I told him, that I would again address him after my Return to Calcutta on the same Subject, when I should have made Choice of a Person duly qualified for so important a Trust. It now rests with you, Gentlemen, to determine on the Propriety of this Appointment. I will offer it frankly as my Opinion, that if you shall think it proper to entrust with me the sole Nomination of such a Resident, and the Power of recalling him whenever I shall judge his Presence to be no longer necessary, it may be attended with good Effects. In any other Mode, I fear the Appointment would exclude me from being any longer the Channel of Connection between this Government and the Vizier, and prevent me from availing myself of that Influence with him, which I have taken much Pains to establish, and I hope not altogether unsuccessfully." (a)

The Managers for the Commons acquainted the House, that the next Point they should proceed to prove was, the Means which Mr. Hastings took for the better establishment of his Authority, upon the Re-appointment of Mr. Middleton to the Residency at Oude, immediately upon the Death of Colonel Monson; and in the First Instance, by his Establishment of the temporary Brigade, which gave him in Effect almost the whole Authority over the Transactions of the Troops stationed in the Dominions of the Vizier.

Read, from Book 109, already delivered in, the following Letter from the Governor General to the Nabob Vizier, beginning at Page 328 of the same Book.

" To the Nabob Vizier.

Written 21st May 1777.

" 1st. That of the Troops now belonging to your Excellency, and commanded by British Officers, the following Corps be transferred to the Service of the Company, viz. Nine Battalions of Sepoys, Three Companies of Artillery, and Two Regiments of Horse, one more to be added for that Purpose to complete the Establishment.

" 2dly. That these Corps be formed into a Brigade for the Service of your Excellency entirely; but, for the Sake of maintaining Discipline and Subordination, be immediately subjected to the Authority of this Government, by which their Pay is to be issued, their Accounts regulated, their Expence controuled, and their Conduct ultimately directed; but they shall act solely under your Orders in all their Military Operations for the Defence of every Part of your Dominions, whilst you retain them in your Service.

" 3dly. That an Estimate be formed of the Expence of this Establishment, on the Trial of One or Two Months, which your Excellency will defray; and after that, the same shall remain a fixed Charge for so long a Time as you shall require the Corps for your Service." (b)

Read, the following Letter from the Nabob Vizier to the Governor General, from Book 132, already delivered in, beginning at Page 349 of the same Book.

" From the Vizier.

Received 17th June.

" It is also equally certain, that I regard it as an indispensable Obligation on me to preserve the warmest Friendship for the illustrious English Chiefs from that Day, when, by the Means of the English

(a) Vide Appendix, N° LXV.

(b) Vide Appendix, N° LXVI.

English Friendship, I ascended, by hereditary Right, the Musnud of my Ancestors. It has been my most earnest Desire deeply engraved on my Mind by every Means to preserve a strict Friendship and Union with them, and to cultivate and improve it to the utmost, which would be the Means of ensuring my Stability and Interest. Actuated by these Sentiments, I intrusted my Interests to the English Chiefs, and have, on every Occasion, regulated my Conduct by their Opinion and Advice, and have never in any one Instance acted contrary to their Pleasure." (a)

The Managers for the Commons stated to the House, that the Second Instance of the Defendant's Attempt to acquire to himself the Authority over the Nabob's Dominions, would appear in the Letter about to be read, by the Dismission of the Nabob's Favourites, and the Appointment of Two Ministers recommended by himself.

Read, the following Letter from the Governor General to the Nabob, from Book 109, already delivered in, beginning at Page 329 of the same.

" To the Nabob Vizier.

Written the 26th May 1777.

" The heavy Arrears which I understand are at this Time due to the Brigade, appointed for the Protection of your Person and Dominions, the Balance of your general Account with the Company, and the Pay of your own Forces under the Command of British Officers, which must ultimately fall on the Company, if your Means are unequal to discharge it, are Circumstances which impress me with the greatest Alarm both for the Security of your Affairs, and of the Company's Property involved in them. The Ties of Alliance and Friendship oblige me to offer my Advice and Assistance in all Cases in which your Interests may be affected.

" To these Obligations is superadded the Safety of the Company's Interests intrusted to my Care; and these accumulated Considerations not only call upon me to recommend to you such Measures as are necessary for the Advancement of our common Good, or the Relief of our common Difficulties, but entitle me to your Compliance with them, unless you can point out others more effectual. On these Principles I proceed to inform you, that it is in the Mouth of the whole World, that your Country is in a State of unbounded Disorder and Want, and your Revenues sunk and anticipated, and your Treasury exhausted, not on the Services of your State, but in Embezzlement and Dissipation.

" These Calamities are universally ascribed to the Want of a regular Authority in the Administration of your Affairs, and to the treacherous and ungrateful Abuse which is made of your Confidence by those on whom you have unworthily placed it. At the Head of these is Imaumbukh, who is notoriously represented as a Wretch, of so mean an Extraction, and of so vile a Character, that your Credit and Honour suffer by your Countenance of such a Man. To him the World imputes the enormous Expence with which you are burthened of a Military Establishment, consisting nominally of more than 50,000 Men; and the Waste of your Collections, which are all in the Possession and at the Mercy of his Creatures and Dependents; Men of Characters base, rapacious, unfaithful, and devoid of Understanding, like his own. These Facts I could not mention to you, had I received them only from common Report; but they are of such known and well attested Authority, that every Man, who comes from that Quarter, agrees exactly in the same Representation; and in lamenting that a Heart, so benevolent as your Excellency's, should bestow its Affections on Men so undeserving of it. Few who approach you will dare to inform you of the Truth, because of the Danger which they must incur from the Resentment of those who possess your Authority; and this is another powerful Motive that I should make it known to you, and apprise you of the Dangers with which you are surrounded.

" But it is not enough to point out the Evils of your Situation, unless I likewise prescribe the Remedy. It is this; and I beseech you, by the Friendship which I bear for your Excellency, and by your Alliance with the Company, and may it last for ever! and by all your Hopes of Happiness and encreasing Reputation, that you will hearken to my Advice, and literally conform to it.

" 1st. Let Imaumbukh be banished for ever from your Presence, and from your Dominions. This is most and indispensably adviseable.

" 2dly. Chuse a Naib of Capacity, of Integrity, and of old and approved Attachment to your Family; such is the Character of your present Naib, Imaumbukh*: Let him be publicly and formally nominated to the Exercise of your Authority in the Management of all your Affairs, and let all Orders be transmitted through him, and registered in the respective Affairs under his Direction, that he may be duly accountable for their Effect. Let him be invariably supported with your whole Authority, nor any other Influence suffered to be placed in Competition with his.

" 3dly. Let him be especially instructed to reduce your Expences, to regulate the Accounts of them, and to place proper and practised Mutasaddies in the Charge of your Revenue.

" As this is the Season of the Year in which your Excellency will be least liable to Interruption from foreign Concerns, and the Period is approaching for forming the new Settlement of your publick Revenues, I hope you will take these Counsels into your immediate Consideration, and issue such Orders thereon as your Wisdom shall prescribe for obtaining the Effects proposed to be derived from them."

Read,

Read, the following Letter from the Vizier to the Governor General, from Book 132, already delivered in, beginning at Page 405 of the same.

" From the Vizier.

Received 9th August 1777.

" My Friend. My Nature revolts at all base and unworthy Characters. Before the Arrival of your friendly Letter, I had expressed my Displeasure against Imaum Buksh, and driven him from my Counsels; nor did I admit any Person of such a Character in my Presence. I had long before that Period given the sole Direction of all my Affairs, Civil and Military, into the Hands of Husein Reza Khan. It is true, that he is a Man of old and proved Attachment to my Family, and of great Capacity, Experience, and Discernment; and I am fully convinced of, and highly satisfied with, his Integrity and Fidelity; and since you, my Friend, have judged it advisable that he should be entrusted with the Management of the Affairs of my Government, and have given it me as your Advice accordingly, requiring no further Inducement, I have invested him with the Charge thereof, and given express Injunctions to all my Officers implicitly to obey all my Orders issued by the said Khan. You may rely with the utmost Confidence on these Declarations which I have made. My Desire to comply with your Advice on every Occasion is without Bounds." (a)

Read, the following Letter from the Governor General to Husein Reza Khan, from Book 109, already delivered in, beginning at Page 345 of the same.

" To Husein Reza Khan.

Written 15th August.

" I have received your agreeable Letter, informing me of your having been honoured by your Master with a Kellaat, confirming you in the Niabut, with other Particulars, which afforded me the greatest Pleasure.

" I congratulate you on this Appointment, and have no Doubt but you will prove yourself worthy of it, by a steady and uniform Attention to the Interests of your Master, and of the Company, which are inseparably united. Be assured, that such a Conduct will at the same time advance your own Interest and Honour, and preserve to you the Friendship and Countenance of this Government. It gives me great Pleasure to hear that so strict a Friendship and Union subsists between you and Mr. Middleton; and I have no Doubt, but, through your joint Endeavours, the Affairs of the Nabob will put on the most flourishing Aspect. Knowing me interested in your Welfare, let me frequently have the Pleasure to hear from you.

" P. S. I cannot consistently with the Rules of the Service accept of your Nuzzir, which has been presented to me; but, for your Satisfaction, have received it for the Company, and ordered it to be carried to their Account. Your Intention I regard with equal Pleasure, as if I had accepted it."

To prove, that those Districts, upon which Assignments had been received for the Use of the Company, were assigned over to the Company, at a Time when the Expences of the Vizier had been considerably increased, by fixing the Temporary Brigade upon him;

Read, from Book 133, before delivered in, the following Letter from Mr. Middleton to the Board, dated the 18th August 1777, beginning at Page 548 of the same Book.

" Fort William, the 4th September 1777.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Thursday.

" The Proceedings of the 1st instant read and approved. Read, the following Letter from Mr. Middleton:

" Honourable Sir and Sirs,

" Not being favoured with your Commands, in Reply to my Address of the 26th June, and being moreover apprehensive, that with the very large Claims which the Company now have on his Excellency, the Mode I there proposed, of taking, in every Instance, Assignments of whole Districts, where the Vizier's Power of Controul over the Aumils, on the Troops stationed with them, should in no Respect be exerted, would almost annihilate every Appearance of his Excellency's retaining any Authority in his own Dominions; I thought it better to consent to what the Nabob himself appeared willing to allow, and what, I flatter myself, will be deemed by the Honourable Board as adequate a Security for the Claims of the ensuing Year, as the present State of Affairs in this Country would admit of. His Excellency has agreed to assign over the Rents of

Mr. Middleton,
18th
August.

the Provinces of Rohilcund and the Doaub, after deducting the Charges of Collection, the usual stationary Troops there, and the Claims for recoverable Balances of last Year, exclusively to the Payment of the Company's Demands; the Aumils to be either of my Appointment, or such as I shall approve; and with whom I am at Liberty to expressly stipulate, that, except on the Accounts above mentioned, they shall not pay any Drafts whatever but mine, on Pain of their immediate Removal. The Districts of Allahabad, Corah, Shahrah, Jugdrispoor, &c. are to be assigned over to me in the same Manner, after deducting such Part of the Jagheers of Sallar Jung and Mirsa Allee, as have always been upon those Districts. For the Remainders of the Company's Claims, his Excellency has ordered his Ministers to lay before me such a State of Assignments as shall, in Amount and Security, appear to me fully sufficient, and gave me a solemn Assurance, that he would not make a Grant of a single Tuncaw upon any of his Districts until this be done. As the making the Bundobust of the Country, with the single Stipulation in Favour of Bow Anny Sing, has been committed to the Ministry, I hope, with their Assistance, to have such Aumils appointed, and such an Influence over them, that I need be under no Apprehensions, where I have even only partial Drafts on them, of their paying the Claims of others in Preference, or to the Injury of the Company's. The Nabob's Orderlies, from whom I should have most to dread, will be excluded, unless it may, perhaps, be judged expedient to give some small Districts to one or two of them, who have some Claim to Favour, from having paid the Assignments on them this Year entirely, or nearly, without Balance. For a further Security to the realizing the Assignments given in Favour of the Honourable Company, and to obviate one of the most ordinary and principal Causes of Balances this Year, the disorderly Behaviour of the Troops stationed for the Defence of the Provinces, or quartered on them for Subsistence, I have obtained his Excellency's Consent to Three of his Battalions being delivered over to me, for the Purpose of assisting the Aumils in the Maintenance of their Authority, both over the Zemindars, and against any Troops who may distress the Province by riotous Behaviour or oppressive Exactions; and also to secure the realizing of my Claims, when and wherever I may think them in Danger of being invaded or violated. (a)

(At the End)

Lucknow, 18 Aug. 1777.

"Nathaniel Middleton."

To prove the Opinion of the Rest of the Council upon this Subject;

Read, from Book 138, already delivered in, the following Extract of a Consultation of the 19th May 1777, beginning at Page 787 of the same Book.

"Mr. Francis.—I conceive it to be impossible that the Nabob, or any Prince, whose Understanding is capable of forming the Idea of Independency, can give a voluntary Consent to a Measure which dethrones him.

"Nothing is left for me however, but to protest against it." (b)

Read, also, the following Extract from the same Book, and same Consultation, Page 788.

"General Clavering.—I protest against it, and all the Consequences of it (c)."

Read, the following Extract of a Consultation of the 11th of August 1777, from Book 110, beginning at Page 379 of the same.

"Fort William, the 11th August 1777.

Secret Dept.
Monday.

"At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General Sir John Clavering,
Richard Barwell, } Esquires.
Philip Francis, }

"The Commander in Chief, agreeably to the Intention which he before expressed, now delivers in the following Protest to the Plan for the new Brigade proposed by the Governor General, and agreed to by the Board, on the 7th instant."

"P R O T E S T.

"Because taking the Army from the Nabob is an Infringement of the Rights of an independant Prince, leaving only the Name and Title of it, without the Power.

"It is taking his Subjects from him, against every Law of Nature and of Nations." (d)

(a) Vide Appendix, N° LXIX.
(c) Vide Appendix, N° LXX.

(b) Vide Appendix, N° LXX.
(d) Vide Appendix, N° LXXI.

Read, the following Extract of a Consultation of the Board, from Book 133, already delivered in, beginning at Page 555 of the same.

“ Fort William, the 4th September 1777.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell, } Esquires.
Philip Francis, }

“ Mr. Francis.—By the foregoing Letter from Mr. Middleton it appears, that he has taken the Government of the Nabob's Dominions directly upon himself. I was not a Party to the Resolutions which preceded that Measure, and will not be answerable for the Consequences of it.” (a)

Read, from the same Book, the following Extract of a Consultation of the 8th September 1777, beginning at Page 624 of the same Book.

“ Fort William, the 8th September 1777.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell, } Esquires.
Philip Francis, }

“ Mr. Francis —Mr. Barwell is pleased to say, that he knows of no particular Change that the Government of Oude has undergone since the Nomination of a Resident at the Court of Oude, of Mr. Bristow by Mr. Francis. I said that we had in effect taken the Government from the Nabob. I will not put it upon Mr. Barwell to affirm the contrary; the Nabob is a Cypher, and known to be so to all.

“ Within these very few Months, we have taken his Army from him; we have insisted on his committing the Civil Administration to one particular Person.

“ We have insisted on his dismissing his Favourites; and now Mr. Middleton tells us that he has taken the Collection of the Revenues of the Doaub and Rohilcund under his own Direction, or to that Effect. I refer to his Letter of the 18th August.— I should be glad to know what Branch of the sovereign Power is really left to the Nabob; as for the Rest, I shall content myself with observing, that all the foregoing Acts are subsequent to Mr. Bristow's Recall. Before this happened, he neither has nor could have the Power which Mr. Barwell attributes to him.” (b)

Read, the following Extract of a Consultation of the 23d December 1779, from Book 112, already delivered in, beginning at Page 966 of the same.

“ Fort William, 23d December 1779.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Richard Barwell, } Esquires.
Philip Francis, }
Edward Wheler, }

Secret Dept.
Thursday.

Sir Eyre Coote absent on a Visit to the different Stations of the Army.

“ Received the following Letter from the Commander in Chief.

“ Honourable Sir, and Sirs,

“ The Day before Yesterday I encamped near Allahabad, where the Vizier did me the Honour of a Visit; and Yesterday Morning, in my way hither, I returned it, and was received by his Excellency with every Mark of Respect and Distinction.

“ This Morning he called here, and we had some general Conversation, which principally turned upon the Subject of his Attachment to the English, and his Readiness to shew the Sincerity of it upon all Occasions.

“ It is to be wished we had employed the Influence which such favourable Sentiments must have given us more to the Benefit of the Country and ourselves; but I fear the Difficulties which evidently appear on the Face of the one, and the Failure of Revenues to the other, are not to be wholly ascribed to the Vizier's Mismanagement.

(At the End of the Letter)

“ Eyre Coote.” (c)

“ Poppa Mow, near Allahabad,
the 11th December 1779.”

To shew what the Opinion of the neighbouring Princes was, concerning the true State of the Nabob Vizier;

Read, the following Extract from Book 132, intituled, “ Persian Country Publick Correspondence,” already delivered in, beginning at Page 8 of the same.

(a) Vide Appendix, N° LXIX.

(b) Vide Appendix, N° LXXII.

(c) Vide Appendix, N° LXXIII.

“ Translation

" Translation of a Newspaper, giving an Account of the Transactions of the Royal Durbar, dated 26 Shwaul, received 1st January 1777.

" It is well known that the Dominions of Afoph ul Doulah extend to within Three Days Journey of Delhi, and that the English are Masters of his Country, and he himself a mere Spectator of what is acted therein." (a)

Read, also, the following Extract from the same Book, beginning at Page 9 of the same.

" Copy of the Answer which his Majesty returned to Timur Shals.

" Sujah ul Doulah, by the Influence of the English, even took Possession for himself of the Province of Illahabad; and his Son the Nabob Afoph ul Dowlah being immersed in Voluptuousness, the Soubah of Illahabad, and even of Oude, are in Reality under the Dominion of the English.

" A small Remnant of Mahometanism was left in Rohilcund; their Country also, which is not less than a Soubah, is apparently under Afoph ul Doulah, but the English are in Fact the Masters of it, for Afoph ul Doulah is absolutely incapable of Business; thus undoubtedly there are 5 Soubahs under the English Government." (b)

Read, from Book 102, already delivered in, the following Extract of an Inclosure in a Letter from Fyzoolah Khan to the Governor General, received the 13th February 1778, beginning at Page 46 of the same Book.

" This Country of Cutthar, which formerly depended on the Rohilla States, and which I consider as now appertaining to the Company, was very populous and flourishing; but since the Commencement of the Nabob Vizier's Government, the Farmers appointed by his Ministers have depopulated the Country; its Situation is at present very ruinous; Thousands of Villages, formerly populous, are now utterly deserted, and no Trace is left of them. I have already written to Roy Buktawul Sing, a full Account of the Tyranny and Oppression exercised by the Farmers, to be communicated to you. The constant Revenue of a Country depends on the Care of its Rulers to preserve it in a flourishing State.

" I have been induced to make the Representation by my Attachment to the Interest of the Company, for otherwise it is no Concern of mine.

" Should these Oppressions continue One or Two Years longer, and the Rulers take no Measures to put a Stop to them, the whole Country will be a Desert." (c)

Read, the following Letter from the Nabob Vizier to the Governor General, from Book 116, already delivered in, beginning at Page 154 of the same.

" From the Nabob Vizier. Received 15th March 1780.

" I before this represented to you the Particulars of my Situation, and my Desire of an Interview with you. I am now anxiously expecting your Answer at present. I have written to Rajah Gobend Ram every Thing which the General, from his noble Disposition, said to me, and what I said in Answer, with Directions to make them all known to you; which he doubtless has done. He has now told me, that he has Occasion for the new Brigade, and my Household Guard, to send them across the Jumman. I do not know whether this has been demanded of me by your Directions, or from himself. You have given full Powers to the Gentlemen here in all my Affairs, who have done whatever they chose, and still continue to do it. I never expected that you would have brought me into such Apprehensions, and so weak a State, without even writing to me on any of these Subjects, since I have not the smallest Connection with any Body except yourself. I have no Doubt that the March of the new Brigade is in consequence of your Orders; but I knew nothing of the Intention of it. What further may be demanded of me, who am now left without any Authority, or what I can say in case of any Demand being made, I know not. Whatever you will write to me, I will conform to. If I am left at Rest till the Arrival of your Directions, I will then act agreeably to them; but should any Thing be begun in the meanwhile, I have no Power to oppose, and will then inform you of what shall have taken place. I am in such Distress, both Day and Night, that I see not the smallest Prospect of Deliverance from it, since you are so displeased with me as not to honour me with a single Letter."

The Managers for the Commons acquainted the House, they should next open to their Consideration some further Means that were taken to increase and confirm, if possible, the Dependance of the Vizier.

Read, the following Extract of the Appendix to the Benares Narrative, beginning at Page 18 of the same.

(a) Vide Appendix, N° LXXIV.

(b) Vide Appendix, *ibid.*

(c) Vide Appendix, N° LXXV.

" NUM. I. G.

" Letter of Instructions from the Governor General to the Resident at the Vizeer's Court.

" To Mr. Nathaniel Middleton, Resident at the Court of the Nabob Vizeer.

" I need scarcely inform you, that my chief Object in my Negotiations with the Nabob has been to induce and assist him to bring his Government and Finances into such Regularity, as to prevent his Alliance from being a Clog, instead of an Aid, to the Company; and to enable him to discharge his Debt in the shortest Time possible. To this End, the most essential Point is to limit and separate his personal Disbursements from the publick Accounts. They must not, in their total annual Amount, exceed what he has received in any of the last Three Years. This Amount, in Twelve equal Parts, should be paid him monthly out of the First Receipts, and the Remainder of the net Collections placed separately in a publick Treasury, from whence his publick Military and Civil Establishment must be paid, under the sole Management and Controul of the Ministers, with your Concurrence. It is of course to be understood that this has no Connection, and is in no Shape to interfere with the Company's Assignments, and the Collections upon them, which are to be conducted as usual: And as by the Addition of the Jagheer Lands, with their Revenues, to the Nabob's regular Collections, his Income will, or ought to be, considerably increased, I shall expect that the Whole of the Excess be appropriated to the Discharge of the Nabob's Debt to the Company.

" After settling the Amount of the personal Disbursements of the Nabob Vizier and his Household, the next Point that will require your Exertions towards the general Arrangement of the public Charges, is to reform the established Muttaiena Troops, reducing them into One established Corps for the whole Service. If this Corps should be brought to consist solely of Cavalry, it would best answer mutual Benefit; leaving no Infantry in the Nabob's Service but what may be necessary for his Body Guard; and to supply the Deficiency, should any occur from such Arrangement, our Infantry may be employed where Infantry are wanted.

" The Corps reformed and established, their Pay must be issued from the publick Treasury. No Assignments to be in future granted them, and those already issued to be recalled. To complete this, all Numbers above what the real Service may require, or the actual net Receipts may be adequate to the full Payment of, must be disbanded as fast as their Arrears can be paid off.

" The Nabob will select and appoint his own Commanders; but if he should nominate improper Persons, such as Men commonly known by the Name of Orderlies, or others deriving their Influence from them, or of known Disaffection to our Government, you are in such Case to remonstrate against it; and if the Vizeer shall persist in his Choice, you are peremptorily, and in my Name, to oppose it, as a Breach of his Agreement.

" For the Management of the Collections, the Ministers, with your Concurrence, are to choose all Aumils and Collectors, and in their Choice to be guided by the Responsibility, good Reputation, and known Ability of the Persons they elect, that Changes may, as far as possible, be avoided (a).

" Chunar,

(At the End)

23d September 1781.

Warren Hastings."

Read, from Book 105, already delivered in, the following Extract of a Letter from the Nabob to the Governor General.

" No. 57. From the Vizier.

" I have never been deficient in the Friendship of the Company, and Obedience to your Pleasure. I have looked upon my Difficulties as a Cause of Satisfaction, and am always ready to execute your Commands. In these Propositions I am astonished and confounded at my bad Fortune, that I should have such a compassionate Friend as your Highness, and be involved in such a Situation. What Answer can I give, and how can I support my Life?

" Difficulty, with your Favour, becomes easy; what is easy, by your Neglect, becomes difficult. Night and Day pass in Grief and Affliction. Either make loose my Difficulties, or else call me to your Presence. I will reside with your Highness, and whenever you shall give me my Dismission, with the Favours and Affection which belong to you, I shall return to my Country, and be released from continual Afflictions."

" Enclosures.

" No. 1. Copy of a Letter from the Nawab Vizier to Major William Palmer, dated 19th Shabaun.

" On the Subject of Ten Lacks of Rupees, you repeatedly have said, that the Nawab Governor's Pleasure is, that I should give them for the Expences of the Company's Sircar. The Nawab Governor's Will is binding upon me. I can make no Excuses. Take Ten Lacks of Rupees for the Expences of the Company's Sircar. But you have said, that if I am willing to assist

(a) Vide supra, Page 146.

the Affairs of the Company's Sircar, you will fulfil my Requests agreeably to the Paper, as the Nawab Governor's Permission is arrived. With respect to the Two Points of which you have spoken, I agree to both of them, and will give for the Expences of the Company's Sircar Ten Lacks of Rupees this Year, and Six Lacks of Rupees yearly, in lieu of Regiments, upon Condition that I obtain my Requests and Authority. It is proper that you adjust my Requests, agreeably to the Paper upon which the Nawab Governor has given Orders, and restore me to the Management of every Concern."

" No. 2. Copy of a Letter from the same to the same, dated 30th Shabaun.

" In Answer to your Demand of a Loan of Sixty Lacks of Rupees, I represented and explained to you, with the greatest Reverence, the full Particulars of my Inabilities; that in Cases where I have Power and Ability, I am never negligent, to the Extent of my Life, in promoting the Affairs of the Company's Sircar, and in obeying the Nawab Governor's Orders. You, in my Presence, spoke to me, and sent a Message to me, that if I did not give Sixty Lacks of Rupees, by way of Loan, the Nawab Governor would be highly displeased, and would quit my Friendship, and would also recall the old Brigade which is here; and belide, the * whatever may be the Nawab Governor's Will you did not know. Why did not you give me prior Information that it would proceed to this Extremity?

" My Friend! the Friendship of the Company, the Nawab Governor, and the Gentlemen of the Council, is fixed in my Heart, and I have remained so inattentive and forgetful, from a Dependence on their Friendship and Satisfaction, that I have nothing left to me but my Name; and every Thing else belongs to them.

" To the Glorious and Omnipotent God it is known, what Distresses having brought upon myself, in the Obedience to his Pleasure, I have supported Life." (a)

The Managers for the Commons acquainted the House, they would next produce the Minister Hyder Beg Cawn's Opinion of his own Situation and that of his Master, and the Tenure by which they both held their Offices.

Read, from Book 80, already delivered in, Extract of a Consultation of the 21st April 1783, beginning at Page 401 of the same Book.

" Fort William, 21st April 1783.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheler, } Esquires.
John Macpherson, }
John Stables, }

" Sir Eyre Coote gone to Fort Saint George.

" From Hyder Beg Khan to the Honourable the Governor General.

" Usual Introduction.

Received April 7, 1783.

" I formerly represented to you the Particulars of the Persecutions exercised towards his Highness by Mr. Bristow, and the Unhappiness and Distress of Mind under which his Highness laboured. A Repetition of the same Circumstances must also have reached your Ears through other Channels, in as much as they have come to pass in so publick a Manner as to be known almost to every Body.

" Relying on your Goodness, his Highness has requested the Removal of Mr. Bristow, and the Grant of discretionary Authority to him in the Management of his Country, and for the Payment of the Company's Monies: If you should be graciously disposed to comply with his Request, and at the same Time so far to favour me as to appoint me from yourself to the Management of Affairs here, agreeably to the Proposals here made to you by his Highness, both respecting the Sums remaining due on Teep, and on Mahajun's Bills, and with regard to the present Year 1190 Fulsly, and for the ensuing Year Fulsly 1191, in any Manner you shall please to direct, I will engage, in Obedience to your Orders, to remit the same to you, Kist by Kist in Bills, and as much thereof as shall be necessary for the Payment of the Company's Troops in this Quarter." (b)

Read, also, the following Extract, from the same Book, and same Consultation, beginning at Page 356 of the same.

" From Hyder Beg Khawn to the Honourable the Governor General.

" Received March 28, 1783.

" We the Ministers owe our present Stations to your Bounty.—His Highness also is devoted to your Pleasure in all Respects; and from the Interchange of Turbans between you and the late

(a) Vide Appendix, N° XXIV.

(b) Vide Appendix, N° LXXVI.

Nabob, he considers you as the Brother of his Father.—Whatever may be your Pleasure in Behalf of his Highness, and with respect to the well Government of this Country, which, in a peculiar Manner, appertains to you, his Highness does in no respect whatever object.—Whatever Directions you may give, those Directions he will obey.” (a)

Read, also, the following Extract from the same Book, and same Consultation, beginning at Page 386 of the same.

“ Answer from Hyder Beg Kawn to Mr. Bristow.

“ My Power and Authority in the Sircar of his Highness, is the Gift of the Governor General; and I have hitherto received the Support and Assistance of the Gentlemen in Power here. Regardless of the Enmity of People at his Court, and contemning their Animosity, I have continued to do my Duty; and in Return for faithful Services, I have been included in the Objects of the Governor General’s Favour. From you I hoped for an Increase of Support, and Assistance of Credit, and of Power. It must have proceeded from a Change in my own Fortune, and not from any Deficiency of Favour on your Part, that my Representations, by the Efforts of Enemies, have been rendered ineffectual.

“ From the Moment of your Arrival, I have not, in any Manner whatever, been deficient in Obedience, but have in every Business, and without Hesitation, fulfilled your Commands, of whatever Nature they might be. As in the important Business respecting the Regiments at Luty Gurr, the Execution of which you were pleased to direct should not be suspended by Attention to the Nawab’s Permission, or by the Necessity of informing him thereof, in the same Manner in every Business whatever on which I have received your Orders, at whatever Time received, and whatever the Nature of them, I have paid the most implicit Obedience to those Orders. On the Instant from my first Appointment to the Nabob, I have been enabled to conduct the Affairs of both Sircars, which I have ever considered as one and the same, by the Assistance and Support of the Gentlemen here, and have on all Occasions acted in Obedience to their Directions; and thus I have repeatedly repeatedly * represented to you, that on Condition of Support and Assistance I would execute all your Commands, and that in the Affairs of the Company I was ready to fulfil the Commands of the Governor General, those of the Gentlemen of the Council, and your Pleasure, without Hesitation or Evasion, at the Hazard of my Life, in as much as I consider my own Interest and Prosperity as depending thereon.

“ When you formerly spoke to me respecting the Toorkshawars, and the Household Establishments of the Nuvvaub Vizier, I then informed you that I never had had any Concern in the Management of those Establishments. That the Circumstance was known to the whole World, that they were under the Direction of the Vizier’s own People, and that he never would voluntarily consent to the Measure. You told me in reply, that the Governor General’s Orders were to be obeyed, and so I must inform the Nabob.

“ I, on my Part, told his Highness in the most pointed Terms, that there was a Necessity for his Compliance with whatever Proposals you should make by the Governor’s Order for the Improvement of his Affairs. But other People, at the same Time, carried Messages from you to the Nuvvaub, importing that whatever his Pleasure might be, you would act agreeably thereto; nay, you even went so far as to recommend in Person to the Nabob, that I should not be employed in these Affairs, but that he should conduct them as he thought proper himself. Other Expressions dropt from you with respect to me, which I know not how to repeat, for such I never could have expected from you. This being the Case, in Justice consider, that having expressed yourself as you did express yourself, what Authority, or Influence, or Respectability can remain with me? The Conduct of this Business did not depend upon me, and therefore the Delay cannot have arisen from Neglect on my Part. Several People have been employed in Conferences on this Subject with the Nabob Vizier by your Orders—now, that from Motives of Kindness and Favour, you have directed me to forward this Business, and added Declarations respecting Support and Assistance, I am, as I have always declared, ready to obey; to whatever you shall please to command, I shall never object; and I am every Way ready to obey your Orders in the Execution of Affairs, independant of the Inclinations of the Nabob Vizier, if you will assure me of Support and Protection in case of his Displeasure. I have never yet objected, nor will I now object. Devoted and powerless as I am, the Increase of my Respectability and Influence depends upon your Favour towards me; and their Diminution proceeds from opposite Causes. Thus I have ever acted, and this I have repeatedly declared, and I now repeat, that in the Affairs of both Sircars, I am ready to obey the Orders of the Governor General and the Gentlemen of the Council, and your’s, at the Hazard of my Life, and without Evasion or Excuse.” (b)

To shew Mr. Hastings’s own Opinion of the Situation and Character of the Nabob;

(a) Vide Appendix, N° LXXVI.

(b) Vide Appendix, N° Ibid.

Read,

Read, the following Extract from the same Book, and same Consultation, beginning at Page 279 of the same.

" The Governor General desires that his Instructions given to Mr. Bristow, which were read to the Members of the Board, and minuted in Consultation, on the 24th of October last, may be now entered.

" To Mr. John Bristow.

" 4th. Immediately on your Arrival, sound the Disposition of Hyder Beg Cawn; his Conduct has for some Time past been highly reproachable. Till within these Three Months, when Mr. Johnson assumed a large Portion of his Authority, he possessed, without Controul, both the unparticipated and entire Administration, with all the Powers annexed to that Government, the Nabob himself being, as he ever must be in the Hands of some Person, a mere Cypher in his, and the Sanction by which he exercised his Authority; yet he has dared to use both the Nabob's Name, and even his Seal, affixed to Letters, either dictated to the Nabob, or written from him without his Knowledge, containing very improper Demands on our Government, and such as evidently tended to promote Hyder Beg's Influence and Interest, and even to make him assume a very unbecoming Tone of Refusal, Reproach, and Resentment, in Opposition to Measures recommended by me, and even to Acts done by my Authority, in literal Conformity to the Nabob's own and earnest Solicitations; such as the Resumption of the Jagheers, and the Seizure of his Father's Treasures, which had been so long suffered to remain in the Hands of the Begum his Mother, and the other Conditions of the Engagements exacted from me at Chunar. On every Occasion of this Kind, the late Resident has been the faithful Echo and Support of the Minister's Pretensions; I must therefore have Recourse to you for the Introduction of a new System in that Government; nor can I omit, while I express my Reliance upon you for this Purpose, to repeat the Sentiments which I expressed in the verbal Instructions which I gave you at your Departure, " that there can be no Medium in the Relation between the Resident and the Minister, but either the Resident must be the Slave and Vassal of the Minister, or the Minister at the absolute Devotion of the Resident." Much as I am displeased at the Conduct of the Minister, I impute it more to the Sufferance of Mr. Middleton than to himself; and if he will submit to hold his Office on such Conditions as I require, I would certainly prefer him to any other Man who could be nominated to his Office, because he possesses Abilities, and a Knowledge of Business. He exists by his Dependence on the Influence of our Government; and above all, because a Change of Administration in a Government so loose as that of Oude, where all the Parts of it are held together by the Exertion of actual Power, and not by the Springs of an established Constitution, would be unavoidably productive of Confusion, and Loss of Revenue; therefore it must be advisable to try him by the Mode of Conciliation, in your final Conversation with him, at the same Time that it will be necessary to declare to him, in the plainest Terms, the Footing and Condition on which he shall be permitted to retain his Place, with the Alternative of Dismissal, and a Scrutiny into his past Conduct, if he refuses it. In the First Place, I will not receive from the Nabob, as his, Letters dictated by the Spirit of Opposition; but shall consider every such Attempt as the Minister's, and as an Insult on our Government. In the Second Place, I shall expect that nothing is done in his official Character but with your Knowledge and Participation; at the same Time, the First Share of the Responsibility will rest with you. The other Conditions will follow distinctly in their Places, because I consider you as responsible for them.

" Fort William,
23d Oct. 1782.

At the End,
(Signed) Warren Hastings." (a)

The Managers for the Commons stated, they would next produce Mr. Hastings's own Explanation of these Expressions, when it answered his Purpose to deny their Effect.

Read, from Book 84, already delivered in, Extract of a Consultation of the 29th September 1783, beginning at Page 231 of the same Book.

Secret Dep.
Monday.

" Fort William, 29th September 1783.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
John Macpherson, and } Esquires.
John Stables,
Edward Wheeler Esquire, absent up the Country.

" The Governor General delivers in the following Minute, containing his Observations upon Mr. Bristow's Letter and Defence.

" It made a Part of a general Injunction to treat the Nabob with every possible Delicacy, Conciliation, and Attention, and was written purely from the Apprehension of a Deficiency in the publick

Funds not admitting the full Payment of the Company's just Claims, and the Calls of his personal and necessary Wants; and may I add, without the Hazard of drawing on myself a severe Censure exclusive Care should be given to their Relief, * than that of having authorized the Deprivation of an unhappy Prince, whose Alliance had subjected him to a servile Dependence on the Power of this Government; that it was my Intention to preclude the Operation of such a Plea, by directing that the Nabob's personal Share of his own Finances should be fully allotted to him, although the Company's Debt remained wholly in Balance. Let me be judged with Candour. Our Alliance has proved the Extinction of his Sovereignty, and the Impoverishment of his Country and Revenue; and it was but just to allow him the Means of Subsistence, if no more remained of the Resources of his Inheritance. (a)

(Signed at the End)

"Warren Hastings."

The Managers for the Commons acquainted the House they would next produce Acknowledgments from the Vizier himself of his own Dependence upon Mr. Hastings, after the Time that Mr. Hastings had entered into Engagements, the declared End of which was to free the Nabob from that Dependence.

Read, from Book 148, already delivered in, the following Letter from the Nabob Vizier to the Governor General, received the 17th February 1784.

"From the Nawab Vizier.

Received 17th February 1784.

"14. Before this I was entirely guided by your Pleasure, but now I am more so than ever. What you desired regarding the Securities for the Company's Money has been done, and I have given the Teeps of the Merchants in addition to that Security: My Country and Family which are also yours, are ready in further Pledge. Set then your Mind perfectly at Ease, concerning the Payment of the Company's Demands, for my Honour and Reputation are bound with your own: I am, with my Heart and Life, ready to observe your Wishes; therefore, whatever you shall judge advisable let me know, that I may comply with it. I can have no Excuse in my Duty and Submission to yourself."

Read, also, from the same Book, the following Extract of a Letter from the Nawab Vizier to the Governor General;—received 14th December 1784.

"No. 92. Important Events are on the Tapis; his Royal Highness is here, and all my Affairs are dependant upon yourself. Nothing can be resolved or undertaken without your Advice by me. The Care of this Government is in every way incumbent upon you, for my Government and that of the English are one; great Events are probable, and there is no Dependence on the Conduct of the Chiefs of this Time. The Charge of all Affairs depends personally on you, my Friend, to that your coming here is every Way advisable. When you are here all Affairs can be settled in the Manner you shall judge advisable. I hope that out of Friendship to me, and for the Welfare of our Government, you will speedily come." (b)

Read, also, from the same Book, the following Extract of a Letter from the Nabob to the Governor General, received the 23d December 1784.

"From the Vizeir.

Received 23 December 1784.

"N° 95. Your Excellency's Letter, in Reply to mine, arrived. I shall send such an Answer to his Majesty's Shokeh, commanding me to the Sublime Presence, as you signified; but the Rank of the Chiefs who are now in the Royal Presence, and the Change of Times, are such, that there is no Opportunity for Addresses to be conveyed, in Answer to the Orders and Shokehs of his Majesty, till a Plan be formed, how will Rivals, confusing Affairs, give Leisure? From the News, and other Circumstances, you will have heard of the State of Affairs. Shokehs to his Royal Highness, according to the Pleasure of the Pateel Mahajee Sindia, and an Arae from him, are arrived; Copies of which will reach you, enclosed in this. From the Contents of Mahajee Sindia's Letter, his Sentiments and Intentions concerning his Royal Highness will be explained. I can give no Answer to such Points without your Directions; so that I beg you will communicate your Pleasure. My Friend, now that you are at such a Distance, much Distress affects my Mind; for all my Affairs depend on your Person." (c)

Then the Managers for the Commons desired Captain Edwards might be called.

(a) Vide Appendix, N° LXIV.

(b) Vide Appendix, N° LXXVII.

(c) Vide Appendix, N° LXXVIII.

CAPTAIN EDWARDS was called in, and, being sworn, was examined as follows :

Q. How long was you in the Upper Provinces, and at Lucknow ?

A. Between Seven and Eight Years.

Q. In what Capacity ?

A. In several Situations : First an Ensign ; then a Lieutenant ; and, latterly, Aid de Camp to the Nabob of Oude.

Q. When did you first go there ?

A. I went there in the Year 1774.

Q. And when did you come away ?

A. I left that Country in the Year 1783.

Q. Was you at Lucknow about the Month of August in the Year 1781 ?

A. I was.

Q. Did you accompany the Nabob, in his Journey at that Time from Lucknow to Chunar ?

A. I did.

Q. In what Character did you accompany the Nabob ?

A. Officially, as Aid de Camp.

Q. Did you hear, as you passed through the Country with the Nabob, from Lucknow to Chunar, of any Rebellion of the Begums then existing ?

A. No, I never did, not at that Time : I have heard since.

Q. Did you arrive at Chunar, with the Nabob, at the Time the Nabob met Mr. Hastings ?

A. I did.

Q. In what Character was you then employed at Chunar ?

A. I arrived at Chunar officially, as Aid de Camp to the Nabob, in consequence of a Detachment being sent from the Nabob of Oude's Encampment to attend upon Mr. Hastings. I offered my Service as a Volunteer, and was, in Consequence, appointed to the Command of that Detachment, commonly called the Resident's Body Guard. Mr. Middleton was then Resident at Oude.

Q. You commanded a Detachment which came from the Encampment of the Nabob, the Service of which was to attend upon Mr. Hastings ?

A. It was to attend upon Mr. Hastings, and to obey any other Order I might receive from the Commanding Officer then stationed at Chunar, who was Colonel Blair ; and who frequently used to send me with Military Stores from Chunar to Colonel Popham, who was then stationed about Ten Miles from that Place.

Q. What do you know, respecting the Treaty signed at that Time at Chunar, between the Nabob and Mr. Hastings ?

A. I know nothing very particular. I heard there was a Treaty signed at Chunar, but the Particulars were kept a profound Secret.

Q. According to your Observation, did the Nabob appear to be his own Master, and to act from his own free Will, or did he appear to be dependant upon the British Government ; and what were the Observations you made ?

A. I did not make any particular Remarks at that Time, but I frequently remarked he was entirely subservient to the Will both of the Resident and Minister in every Particular ; not only regarding that Treaty, but every Thing else relative to the interior Part of the Management of his Revenue in general.

Q. Did the Nabob's Minister Hyder Beg Cawn, appear to be in a similar Degree of Subserviency to the British Government ? did you make similar Observations in respect of him ?

A. Yes, I did ; he seemed to be controuled entirely by the then Resident at Lucknow.

Q. What were the Particulars you did observe ?

A. I observed, that nothing material was transacted, either at Lucknow or in any other Part of the Nabob's Provinces, without the Sanction of the British Government ; that the Minister always consulted the Resident, whoever he might be. I was there for several Years ; I was there during the Residency of Mr. Middleton, of Mr. Bristow, of Mr. Purling, of Mr. Hosier, and of several others, and latterly of Mr. Palmer.

Q. What Means had you of knowing, that he consulted the Resident ?

A. Whenever I had any Application myself to make, or whenever any of the Natives had any Application to make, relative to the Management or Government of the Country at large, they always were referred by the Minister to the then Resident.

Q. Whether, while you was at Chunar with Mr. Hastings and the Nabob, you was applied to for any Information respecting the Disturbances in Fyzabad, or in the Neighbourhood ?
A. No : I never was.

Q. Did you know, or hear, of any Troops being detached from Chunar to quell any supposed Disturbances in that Place ?
A. No : I never heard there were.

Q. Was it possible that any Rebellion should have existed at Fyzabad at that Time, without its coming to your Knowledge ?
A. I think not.

Q. Could any general Opinion of the Disaffection of the Begums towards the English Government have prevailed, without its coming to your Knowledge ?

A. Not a general Opinion, but certainly private Opinion might have prevailed, without my hearing any thing of the Matter ; but, if it had been very general, I think it must have come to my Knowledge : at least I think so ; for I had Servants detached, in different Parts, and I had frequent Intercourse with the Natives ; and, I really believe, if a Rebellion had existed at that Period, I should have known, or have heard something of it, at least by Report.

Q. Did you return with the Nabob from Chunar to Lucknow, when the Nabob parted with Mr. Hastings ?

A. I returned Part of the Way with his Excellency the Nabob, but not the Whole of the Way. When he came within a short Distance of Lucknow, I recollect he struck off for Fyzabad, and I immediately went for Lucknow. I think, at that Time, Mr. Middleton, who was then Resident, and Hyder Beg Cawn, who was then Minister, accompanied his Excellency the Nabob to Fyzabad.

Q. Upon what Account did you suppose the Nabob went to Fyzabad, with what View ?

The Counsel for the Defendant objected to the Question.

Q. Have you any Reason to know, why the Nabob went to Fyzabad ?

A. I have no Knowledge in particular, only from common Report.

Q. Did you hear of any Rebellion at that Time, upon your Return ?

A. No, not immediately at that Time, but I have heard since.

Q. Have you any Reason to know, what was the Inducement of that Journey ?

A. No, I have not.

Q. Did you at that Time, when you returned, upon the Road, and before you parted with the Nabob, hear of any Rebellion existing, or that was passed, on the Part of the Begums ?

A. I never did.

Q. Did you say, that Mr. Middleton and the Nabob went together, when they went to Fyzabad ?

A. They left the Encampment together, and I understood they were going to Fyzabad, and that they all went to Fyzabad.

Q. What Guard did the Nabob take with him to Fyzabad ?

A. I cannot exactly mention the Number, but I dare say, most of the Cavalry he had then accompanied him ; but the Infantry remained in the Encampment.

Q. What Number of Cavalry ?

A. I cannot say what Number it consisted of at that Time ; some Hundred Horse ; but I cannot exactly recollect the Number.

Q. Do you think there were Two thousand Horse ?

A. No, I do not believe there were so many, nor yet One thousand Horse. I am sure there were not so many Regulars, what is generally called the Nabob's Cavalry ; but there were a great Number of Horsemen belonging to his Attendants, not particularly attached to his Person.

Q. Do you, or do you not, know how many there were upon the Military Establishment, and how many of another Sort ?

A. I fancy there were about Five or Six hundred, called his Regulars ; all of which are his Cavalry. The Mogul Cavalry are Troops attached to his Dependents, and he had a great many of them. There were undoubtedly a great many of the first People of that Country that attended his Excellency ; there was his Uncle, and a great many other Persons.

Q. Were there any Military, but what attended his Person ?

A. Not Cavalry, but a great many Infantry.

Q. I thought you said, there were none but Cavalry that went with him to Fyzabad ?

A. None but Cavalry went with him from the Encampment to Fyzabad. He travelled so expeditiously, he could not well take the Infantry with him.

Q. Then

Q. Then the Infantry remained with you in the Encampment?

A. They did.

Q. Whether the regular Troops you spoke of, were well paid and well appointed Troops, and such as the Nabob could have depended upon for any regular Service?

A. No; I do not believe they were; for I recollect at that Time they were a great many Months in Arrear, and very poorly clothed, and very poorly mounted, and seemed very much disaffected. I have known them refuse to go upon the Service when they were desired to hold themselves in Readiness, unless the Minister paid them their Arrears of Pay, which at that Time, I believe, were very considerable, at least by Report; they amounted to a very large Sum. I think his Horsemen at that Time were at least Fifteen or Sixteen Months in Arrear. I only know those Circumstances by Report; I have no Knowledge officially.

Q. But you was there at the Time?

A. I was there at the Time.

Q. From their Behaviour and Countenance, did you look upon them as Troops that could be depended upon, or in another View?

A. I looked upon them in another View, that they could not be depended upon.

Q. What were the Number of Infantry which were left in the Encampment?

A. I really cannot mention the Number of Troops they consisted of, but there were a great many Battalions of Sepoys.

Q. How far was that Encampment from Fyzabad?

A. I cannot rightly mention the particular Distance, because it was in the direct Route from Fyzabad to Chunargur, and the Distance I am not particularly acquainted with.

Q. How far was it from Lucknow?

A. It was about Sixty Miles from Lucknow.

Q. But the Distance from Fyzabad you do not know?

A. The Distance from Fyzabad I think must have been thereabouts; I recollect hearing the Nabob got to Fyzabad that Night, the same Day he left us encamped, and his Excellency generally travelled very expeditiously. I have known him travel Fifty or Sixty Miles in a Day, having relaid Elephants for that Purpose.

Q. Could the Cavalry get on at the same Rate?

A. No, they could not; they got on as fast as they conveniently could, but they could not travel at that Rate.

Q. You conceive the Nabob must have arrived at Fyzabad without his Cavalry?

A. I certainly do, and I am perfectly sure if he arrived that Day, which I am not very certain of, only by Report, he certainly must have arrived there without his Cavalry.

Q. Whether the Nabob, upon leaving the Country to join Mr. Hastings, did not take with him all the Troops he could get together, in order to bring them to the Assistance of Mr. Hastings?

A. He did.

Q. And took them with him out of the Country?

A. And took them with him; they joined him upon the Line of his March as expeditiously as they could, because they were sent for from different Parts of the Country.

Q. What Quantity of Troops did you carry to Chunar?

A. His Rabble and Camp-followers, and all together, amounted, I dare say, to 30,000.

Q. How many Regulars or Military were there?

A. Regulars but very few.—I think his Excellency had about 8,000 Regulars, but there is a great Distinction observed in that Country between the Regulars and the other Mogul Troops; the Regulars are disciplined in the same Manner as the British Troops, and armed and clothed with the same Accoutrements; the native Troops are not; they are generally called Matchlock Men, and Peons: they go by different Names according to the Country they serve in.

Q. Did you hear, upon the Nabob's and Hyder Beg's Return to Lucknow, any Charge or any Thing that led you to believe, that Discoveries of Rebellion or Treason had been made by the Nabob while at Fyzabad?

A. No, I did not.

Q. When did you first hear of any Accusation, or Charge of any Rebellion or Disaffection against the Begums?

A. Some Time after I arrived at Lucknow; about a Fortnight after, I heard the Gentlemen in the Resident's Family mention the different Accounts that Colonel Hannay and his Officers had sent.

Q. Was

Q. Was the Intelligence you received upon that Subject, confined to Communications made by Colonel Hannay and his Officers to the Resident's Office, or did you hear of any other besides ?

A. I heard that such Reports prevailed at Lucknow, among the Natives, which were not generally believed, and there were a few who mentioned they had heard the Reports.

Q. The Question put to you is, whether you heard of any other Instances than those mentioned by Colonel Hannay and his Officers ?

A. I heard my own Servants say, as they went through the Market Place, they had heard from the Resident's Servants, that they had heard such Reports did prevail.

Q. Meaning the Reports from Colonel Hannay ?

A. Yes, meaning those Reports.

Q. Did the Natives in general give any Credit to those Reports ?

A. No, I do not think they did.

Q. Did you not hear more of this Sort of Report, after the Treasure was seized in January 1782 ?

A. I did ; I heard the Treasures were seized in consequence of the Report, and the Charge and Accusation made by Colonel Hannay, and some of his Officers, that the Begums had been in a State of Rebellion ; and I understood from the Reports which I heard there, that the Treasures were seized in consequence of a Rebellion being in Existence.

Q. But after the Treasures were seized, did you hear more particular Circumstances, or how ?

A. I heard no more than I have just related.

Q. Had you an Opportunity of observing the general State of the Country of Oude, when you first arrived there, and for Two Years afterwards ?

A. No, I had not when I first arrived.

Q. How soon after your Arrival there, had you such an Opportunity ?

A. The only Opportunity that I had of knowing the State of that Country, was by marching and countermarching repeatedly through the different Provinces of the Nabob's Dominions ; and afterwards, when I was appointed Aid-de-Camp to the Nabob, and attended his Excellency's Person whenever he took the Field, or went a hunting, or upon any Excursion he might make into the interior Part of his Dominions.

Q. When was you appointed Aid-de-Camp to the Nabob ?

A. I was appointed his Aid-de-Camp, I believe, in the Year 1780.

Q. Had you not an Opportunity of observing the general Face of the Country, in the Time of Sujah Dowlah ?

A. I had.

Q. Did you remark any Difference in the general State of the Country at that Time, and the Period when you made your latter Observation : Did you observe any Difference between the Condition of the Country at that Time, and that of Sujah Dowlah in the Year 1774, the latter Period you have mentioned ?

A. I did, a very material Difference.

Q. In what Respect ?

A. In the general Aspect that the Country bore, and the Cultivation of the Country, that it was infinitely better cultivated in 1774 than it was in 1783.

Q. You said, you had no Opportunity of observing the State of the Country, till you was appointed Aid de Camp to the Nabob ?

A. No, except by marching and countermarching. I marched in the Year 1774 through the Nabob Sujah ul Dowlah's Provinces, into Rohilcund.

Q. Had you those Opportunities from the Time of your going there, in the Year 1774 ?

A. I had ; but not so much as I had after being appointed Aid de Camp to the Vizier, because I was always before in a subordinate Situation ; I marched in a direct Line before with the Troops : but afterwards, when I was Aid de Camp to his Excellency, I was my own Master, and made frequent Excursions into the different Parts of the Country.

Q. Had you an Opportunity of observing the Difference in the general Happiness and Disposition of the People ?

A. I had.

Q. Did you observe a Difference in that Respect also, between your first coming and the Year 1783 ?

A. Yes, a very sensible Difference ; in Sujah ul Dowlah's Time the Country was in a very flourishing State, in Merchandize, Cultivation, and every Article of Commerce, and the People then seemed to be very happy under his Government ; which, latterly was not the Case ; because the Country in Reality appeared in the Year 1774 in a flourishing State, and in the Year 1783 it appeared comparatively forlorn and desolate.

Q. Was the Court of Afoph ul Dowlah, when you left India, equal in Point of Splendor to what it was in the Time of Sujah ul Dowlah?

A. By no means, it was not equally splendid, but far inferior.

Q. Were the Dependants and Officers belonging to the Court, paid in the same punctual Manner?

A. No, I really cannot say whether they were paid more regularly in Sujah ul Dowlah's Time; only they appeared more wealthy, and more able to live in a splendid Stile, in his Time, than they ever have done since his Death.

Q. In what Situation was Colonel Hannay in those Provinces?

A. I understand that he rented a great Part of the Nabob's Country, called Baraitch and Goruckpore.

Q. You heard so?

A. I heard so, only by Report.

Q. Do you know, what was the general Fame of the Country with respect to Colonel Hannay's Administration in those Provinces?

A. Only, from Report.

Q. What was that Report?

A. That the Measures of his Government, appeared to the Natives there, very unjustifiable and oppressive.

Q. What particular Instance of this Injustice and Oppression did they generally report in the Country?

The Counsel for the Defendant objected to general Report of particular Facts.

Q. Did you ever see or know, any Fact or Circumstance, from which you could infer in the same Manner?

A. When I accompanied his Excellency the Nabob into that Country, I believe it was the latter End of the Year 1779, or early in the Year 1780, the Country seemed to be little cultivated, and very few Inhabitants made their Appearance, and the Few that were in the Country seemed much distressed, and I understood that the Country had been better peopled, but that they had all left the Country in consequence of Colonel Hannay's Administration.

Q. Did you ever see any Prisons, Forts, or Cages, which you understood were made use of by Colonel Hannay?

A. I saw what they called Prisons, but I saw no Prisoners there. I saw a Place that the Country People called a Prison, but there were no Prisoners there at that Time.

Q. Describe what Sort of Place that was, which they called a Prison?

A. It was a large Place, fenced round with what they call Bamboo, a very strong Reed, that grows in that Country, a Kind of Cane, and it was a Place fenced round with this Cane.

Q. Of what Circumference?

A. I take it to be about 60 Feet square, but I cannot exactly mention the Circumference. I took no particular Notice of it, other than just seeing the Place; and they told me, that was the Prison where the Natives, who had not paid their Rents regularly, were confined.

Q. Confined, by whom?

The Counsel for the Defendant objected to an Examination to the Report of particular Facts.

Q. Do you know of any Body being confined?

A. No: I do not.

Q. What did the People call those Forts or Cages; by what Name?

A. They were called differently; some called them Cages, others called them Forts, and others called them Prisons.

Q. Had not Colonel Hannay left those Provinces when you saw those Forts, Cages or Prisons, empty?

A. No, he had not, he was then in the Country.

Q. Was it in Baraitch or Goruckpore that you saw those Prisons?

A. I really cannot distinctly mention the Place, whether it was in the Goruckpore Province, or the Baraitch Province; but it was at a Place called Byapore.

Q. When was it you saw this?

A. I cannot exactly mention the Month; however, I think it was, to the best of my Recollection, the latter End of the Year 1779, or early in the Year 1780.

Q. Had

Q. Had you ever seen such Prisons in any other Province?

A. Not exactly alike; but I have seen several other Prisons in different Parts of the Nabob's Dominions.

Q. Whether you ever heard any Native of Credit and Authority in the Nabob's Dominions, who appeared to believe the Rebellion of the Begums?

A. No, I never did.

Q. On the contrary, have you any Reason to believe that the Nabob gave Credit to it?

A. I really cannot rightly presume to say, whether the Nabob did, or did not; but I am apt to believe that he did not.

Q. Have you any Reason, and what, to form a Belief about it?

A. I have. I think, if he supposed the Rebellion ever existed at Fyzabad, he would have been the first Person to take, and give the Alarm to the British Troops.

Q. And no such Alarm was taken, or given to the British Troops?

A. No, I think not. As I was always about his Person, and in the Camp, I think I certainly must have known it, or heard of it; but I never did.

Q. When you did hear of this Rebellion, did not you understand it to have been alledged, that one Object of it was to dethrone the Nabob himself, as well as to extirpate the English?

A. I understood that the Intention of the Princesses, the Begums, was to extirpate the English Troops out of the Country, and out of those Dominions; and likewise to depose her Son, and set another Son, who seems to have been a greater Favourite of that Family, upon the Throne, in the Room of the present Nabob; and that Son's Name is Saadit Ally. I have only heard this from Report; I have no other Knowledge but mere Report. I understood from the Report, she was to extirpate the English, and depose her Son who is now upon the Throne.

Q. Was it after, or before, the seizing of the Treasures, that you heard a circumstantial Account of the supposed Object of the Rebellion?

A. The Report was more general after the seizing of the Treasures; but yet there were Reports prevailing in the Neighbourhood, that our Troops were sent there in consequence of the Charge that was made by Colonel Hannay and some of his Officers, of a Rebellion existing then at Fyzabad, or having existed, I cannot rightly say which.

Q. Was that Report, after the Order for the Troops to march to Fyzabad?

A. It was more general; it was very general then, when the Troops did march there; and more general after the seizing of the Treasures.

Q. When did the Troops first march?

A. It was some Time in the Month of January, I believe, in the Year 1782.

Q. While you was with the Nabob, in passing from Lucknow to Chunar, and while you was with him or the Army, returning from Chunar, did you then, out of the whole Army, regular or irregular, ever hear of any Report of the Begums being in Rebellion?

A. No, I do not recollect I ever did.

Q. (*Cross Examination.*) Do you recollect at what Time in August 1781, you left Lucknow to proceed with the Nabob to Chunar?

A. No, I cannot rightly mention the Date; all that I know is this, that I accompanied the Nabob, Mr. Middleton, and his Attendants, all the Way from Lucknow to Chunargur: I really cannot recollect; I have no Notes; and it is so distant a Time since, that I do not recollect the Particulars of the Month, or the Day; but I recollect perfectly, I accompanied the Nabob all the Way from Lucknow to Chunar, and returned again with him, until he struck off on the Road for Fyzabad.

Q. Do you recollect at what Time you arrived at Chunar?

A. I arrived at Chunar in the Year 1780 or 1781, I really cannot particularize it; in 1781, I think.

Q. During the Time you was at Chunar, was you, or not, principally employed in the Fort?

A. No; I was employed, that is, my Detachment was stationed, as the Out-post of that Garrison, during the Rebellion of Cheit Sing: At Night, all Night, I laid upon my Arms, as Out-post, and in the Day-time I supplied Colonel Popham's Detachment with Victuals and military Stores of all Kinds; and again, at Night, I returned to my Duty, stationed about Half a Mile beyond Chunar, as an Out-post to the Garrison.

Q. Can you state, when it was you was first sent by Colonel Blair to Colonel Popham's Detachment?

A. I was sent the following Day, after taking Charge of this Detachment, which I now speak of, the Detachment I commanded, and, in consequence of an Application, I was dispatched the following Day.

Q. Did

Q. Did you take the Command of the Detachment the Day after your Arrival?

A. I believe I did; I took the Command immediately upon Mr. Hastings requesting he might have some Troops for his Service granted him by the Nabob. The Nabob sent this Detachment without being commanded by any European Officer: Finding that, I offered my Service, and then I joined the Detachment, and it was employed in the Manner I have already described.

Q. Which you take to be the Day, or the Day following, after your Arrival at Chunar?

A. Yes.

Q. Did you serve under Colonel Popham in quelling the Rebellion of Cheit Sing?

A. No further than delivering the Military Stores which Colonel Blair detached to the Encampment; and while I was under Colonel Popham, I was amenable to all the Orders he might give me, and he frequently gave me Orders to Mr. Hastings or Colonel Blair. Sometimes I was to deliver a Message personally to Mr. Hastings, sometimes I was to deliver a Message personally to Colonel Blair; and sometimes he has sent Prisoners with me, that he took in the Course of the Day, back to Chunargur.

Q. But you were employed in no active Service under Colonel Popham?

A. No, I was not.

Q. Do you recollect how long you were at Chunar?

A. I came there with his Excellency the Nabob, and I returned with him.

Q. Can you recollect how long that was?

A. No, I really cannot; I took no Notice at the Time; I only know this, I went with the Nabob, and I returned with the Nabob.

Q. Was you at Fyzabad, during the Month of September, or October, 1781?

A. No, I believe I was not; I do not recollect that I was.

Q. Was it not possible that the Begums, or their Eunuchs, might have raised Troops for the Assistance of Cheit Sing, without that Fact coming to your Knowledge?

A. It was possible.

Q. Having spoken to the State of the Country of Oude in the Year 1774, as being better than in the Year 1783, whether in the Years 1780, 1781 and 1782, there had not been considerable Droughts in Oude?

A. Only from the Nature of managing the Country, not from any other Cause.

Q. Whether you will take upon you to swear, there had not been such Droughts from natural Causes? Do you understand what is meant by Drought?

A. Yes.

Q. You have referred it to the Management of the Country: Was it, or not, referable to natural Causes in those Years?

A. I never heard of any natural Causes in those Years having happened.

Q. The Season therefore was as wet in those Years, as ordinarily in other Years?

A. I can only mention that I was stationed in the Country; if there was any prior to the Time of my being there, I cannot give any Information, but when I went there in the Year 1774, the Seasons after that, appeared to be as favourable as the Season of that Year.

Q. But the Question now is, Whether the Seasons in the Years 1780, 1781, or 1782, were in any respect peculiarly unfavourable, more so than those you met with in the Year 1774?

A. I never heard they were.

Q. You observed you was there from the Year 1774 to the Year 1783?

A. I was, excepting an Interval of 18 Months; I went up there in the Year 1774 the first Time, and then I was stationed in the Company's Provinces for about 18 Months; and afterwards I was appointed in the Year 1777 to the Nabob's Service, owing to a personal Application of his.

Q. What was the Mismanagement to which you attributed the Drought of the Years 1781 and 1782?

A. The Mismanagement of the Nabob's Minister.

Q. How did that affect the Country with Drought? I understood you to say, that the Droughts you observed were in the Years 1780, 1781, or 1782?

A. I never observed any Droughts while I was in that Country at all; only I observed the Country was less cultivated; and there was great Waste of Land, owing more to the Mismanagement in Oude, not from any natural Cause.

Q. Therefore you never observed any Drought at all?

A. No, I never did.

Q. (by Counsel). Do you mean, that from the first Time you went to reside at Lucknow, down to the Period when you left it, you never observed any Drought whatever; that in all the Seasons, during the several Years you were there, you never observed any Drought to prevail?

A. I never recollect that I did: A Drought might have happened in several Parts of the Country that I had not seen; but the Country I travelled through, and all the Neighbourhood, appeared as well cultivated as it has since; in short, there was no natural Defect.

Q. Was your general Residence at Lucknow?

A. While Aid de Camp to his Excellency, it was; it was always my Residence: But, previously to that Appointment, I was stationed in different Parts of the Nabob's Dominions, in Rohilkund, Farruckabad, and other military Stations.

Q. But in all those Stations, were you confined to your respective Station, or did your Employment carry you so as to traverse the Country?

A. I was always at Liberty to travel about the Country for a few Days, by obtaining Leave of my Commanding Officer.

Q. Did you do so?

A. Yes, frequently.

Q. Did you make those Excursions to any considerable Distance from Lucknow, during the Time you was Aid de Camp?

A. About Sixty, Seventy, or Eighty Miles.

Q. Did the Nabob himself frequently go up into the Country and make Excursions?

A. Every Year, and particularly in the Year 1780.

Q. Where did he go then?

A. I think he went either in the latter End of the Year 1779, or early in the Year 1780, to Colonel Hannay's Country?

Q. Did you attend him there?

A. I did.

Q. Did he make any other Progress round his Country?

A. He did not make any other Progress at that Period, but he frequently used to make Excursions backwards and forwards, according as the Weather suited him.

Q. You always attended him?

A. I always attended him.

Q. What was the Number of Mogul Cavalry, that went with the Nabob to Chunar?

A. I cannot pretend to inform you; I do not know.

Q. What was the general State of Bengal, Bahar, and Orissa, when you left India in the Year 1783?

A. It was in a very flourishing State.

Q. Did the Natives appear to be happy, or otherwise?

A. They always appeared to be very happy.

Q. (from a Lord.) Does not the Cultivation of the Country depend upon the Supply of Water from Wells and Tanks, more than from the Season, or Rain Water?

A. It certainly does.

Q. (from Counsel.) Have you any Reason whatever to believe, that the Reports of Colonel Hannay's Conduct, such as they were, reached the Knowledge of Mr. Hastings? Do you know any Thing of it?

A. No, I do not; for I really believe, that if the Reports which then prevailed had reached Mr. Hastings' Knowledge, he would immediately have removed Colonel Hannay from his Appointment.

Q. (from a Lord.) Whether the Cavalry, by whom the Nabob was attended to Chunar, were his usual Body Guard, or in what Proportion did they exceed his common Body Guard?

A. I cannot rightly inform you of the Proportion; but, to the best of my Recollection, he had at this Time, when he went to Chunar, all his Cavalry along with him; and when he only went a hunting, and made the other Excursions, he frequently granted Furloughs to his Cavalry, and only took along with him such a Number: He did not require an exact Number to accompany him.

Q. Cannot you recollect the ordinary Number?

A. No; he took more or less, according to his Pleasure; but when he went to Chunar, he took all with him he could collect: He sent round the Country to collect those who were on Leave of Absence to join him, and they all joined him before he got to Chunar.

Q. Did the Orders come from you as Aid de Camp?

A. Never.

Q. (*from a Lord.*) Whether the Nabob was in an equal State of Subordination to the other Residents, as he was to Mr. Middleton; or whether that Subordination was peculiarly to Mr. Middleton?

A. To all the Residents alike.

Q. (*from a Lord.*) Whether the Prisons of which you spoke, which you saw in Baraitch and Goruckpore, were the usual Prisons of the Country, or were they occasionally put up for any particular and special Purpose?

A. I really cannot say, for I never had been in that Country previous to the Time I mentioned, that is, when Colonel Hannay was in Possession of the Country.

Q. But have you seen any Prisons in any other Part of the Country?

A. I have.

Q. Were those Prisons of the same Construction as those which you then observed, or of any peculiar Construction?

A. They were much of the same Construction.

Q. (*from a Lord.*) Was it at Lucknow that you heard the Reports concerning Colonel Hannay and his Oppressions?

A. It was both at Lucknow and at many other Places; it was a general Report.

Q. Whether those Reports might have reached the Resident's Ears as well as your's?

A. I have no Doubt but they did, but I really cannot say whether they did or did not; but I have not the least Doubt of their reaching the Resident's Ears.

Q. Were there any Arrears of Pay due to you, as Aid de Camp to the Nabob, when you attended him to Chunar?

A. There were.

Q. What Arrears?

A. About Five Months Arrears.

Q. What Orders were left for the Infantry: Were they to follow, to remain in Camp, or to return to Lucknow, at the Time of your Return from Chunar, when you separated from the Nabob?

A. I cannot say, for immediately upon the Nabob's going from Chunar to Fyzabad express, he went Post, I could not follow him; therefore I left his Encampment and returned to Lucknow.

Q. You said, you supposed very few Troops attended the Nabob to Fyzabad; do you know that of your own Knowledge, or from Report; and what Number of Troops came in with him to Fyzabad?

A. I do not know the Number of Troops that were ordered to attend him to Fyzabad, but there were very few, or none at all, that could have followed him, when he entered Fyzabad; I speak that only as a Matter of Opinion.

Q. (*from a Lord.*) The Mogul Horse are an irregular Body of Cavalry, which the Dependants of the Nabob are obliged to furnish him with, by the Nature of their Tenure?

A. The Horse that the Dependants upon the Nabob are obliged to furnish him with, are very irregular; but the Mogul Cavalry are sometimes very regular; they are not always obliged to supply his Excellency with Mogul Cavalry, any Sort of Cavalry answers their Purpose.

Q. Were those which attended the Nabob, Mogul Cavalry?

A. Not all; there were very few in comparison with the others; the others were native Cavalry, but not Regulars; there is a Distinction between the native Cavalry, the Regulars, and the Mogul Cavalry.

Q. How are the irregular Cavalry armed?

A. With Sabres and Spears, and sometimes with Matchlocks.

Q. Was you at the Battle of Buxar?

A. No; I was not.

Q. Was you ever employed in the Carnatic?

A. No, I never was.

Q. Was you acquainted with Sujah ul Dowlah?

A. I was.

Q. Did you not consider him as a Man of Abilities and Attention to Business?

A. He certainly was both.

Q. Did you look upon Asoph ul Dowlah in the same Light?

A. By no Means.

Q. Did you consider him as more addicted to Pleasures, than attentive to the Affairs of Government?

A. I certainly did.

Q. When

Q. When the Nabob made those Excursions, did he make them, generally, to visit and inspect the Administration of his Provinces; or on Hunting Parties?

A. I really cannot expressly mention his Motive, but it was generally imagined, and called, a Hunting Party, whenever he made those Excursions.

Q. Did he go attended as if he was going a hunting?

A. They always do that: Whether they go a hunting, or upon any other Occasion, they take Dogs, Horses, and every Thing else.

Q. (from a Lord). If there had been any Disturbance at Fyzabad, or Rebellion there, what Troops were stationed there, so as to be ready to suppress it?

A. The main Body was stationed at a Place called Cawnpore, about Forty Miles off; but there were several Detachments nigher: One commanded by Major Gilpin, not many Miles from Fyzabad, to the best of my Recollection; another Detachment, I believe, commanded by Major Naylor, in that Neighbourhood; and another commanded, I think, by Captain Jacques; but I am not very certain, I only speak to the best of my Recollection.

Q. Were there any Troops of the Nabob nearer at Hand than those, to suppress a Rebellion, if it had arisen at Fyzabad?

A. None nearer than those.

Q. His own were not near at Hand to suppress it?

A. No.

Q. (from a Lord). While you were employed between Chunar and Major Popham's Detachment, had you any Opportunity of hearing what the Strength of Cheit Sing's Force was?

A. Only from the Reports that prevailed in our Encampment.

Q. In the Statement of those Reports, did you hear what Number were supposed to belong to Cheit Sing; what were the different Corps, and different Species of Strength?

A. There were different Opinions on that Head; some thought he had a great many Thousands, others thought he had but few; no particular Number was specified.

Q. Was Cheit Sing near Major Popham at that Time?

A. He was not.

Q. Did you at that Time hear of any Corps that had actually joined, or were expected to join, Cheit Sing from Fyzabad?

A. No, I never did, but the main Body were generally supposed to be along with Cheit Sing; there was another Body which Colonel Popham was immediately against at this Time, which lay about Ten Miles from Chunar, at a Place called Pateeta; those Troops, it was apprehended would escalate the Place; and in fact they had prepared scaling Ladders for that Purpose, and those were the Troops I apprehended might molest me, when I was stationed at the Out Posts to that Garrison.

Then the Witness was directed to withdraw.

Then COLONEL ACHMUTY was called in, and being sworn, was examined as follows:

Q. Where did you serve in the Years 1781 and 1782?

A. I went down with the Brigade I belonged to, into the Southern Part of Orissa, where I served till June 1781, and the Brigade returned in June to our Cantonments, and then I went up to Dinapore.

Q. Was you stationed at Dinapore in August and September 1781?

A. I was.

Q. Was Dinapore the great high Road or Gang Way between Benares and Calcutta?

A. There are Two Roads—one is through Dinapore, and there is another Road a few Miles from it.

Q. Was the Road through Dinapore much travelled, in going from Benares to Calcutta?

A. Constantly by the Troops.

Q. Did you at that Time receive a Letter from Mr. Hastings, desiring you to detach Troops to his Assistance at Chunar?

A. Immediately upon the Troubles at Benares, having heard something about them, I got a Battalion of Sepoys in Readiness against I received an Order, which I did, from Mr. Hastings, to dispatch a Battalion of Sepoys up to him as fast as possible. They marched the next Morning after I received the Order.

Q. Did

Q. Did you receive a Letter from Major Palmer, as well as from Mr. Hastings, at that Time?

A. The publick Letter I received was from Major Palmer, in Mr. Hastings' Name, as his Aid de Camp. I did not receive any Letter from Mr. Hastings.

Then a Letter was shewn to the Witnesses, and the following Question was put to him.

Q. Whether you remember to have received this Letter from Mr. Hastings from Chunar (a)?

A. I did.

Q. What is the Date of it?

A. The 22d of September 1781. I received it about a Month posterior to the Time when it was written.

Q. Whether you had any Reason to believe that the Begums were in Rebellion at that Period, against the British Government?

A. If you will give me Leave to premise, I never was in Mr. Hastings's Confidence, and every Thing that I know of, is merely by Report; I was always with the Troops I belonged to; and every Thing that I know of publick Matters, is merely by Report.

Q. Was it reported or believed in your Camp at that Time, that the Begums were either in Rebellion, were preparing for Rebellion, or were furnishing any Assistance to Cheit Sing?

A. I never heard that they were; but the Place at which I commanded was at a very great Distance from Fyzabad.

Q. Whether, in any of the Communications or Applications made to you from Benares for Assistance, there was any Mention made of such a Transaction by the Begums?

A. No.

Q. Could the Fact of the Begums being in actual Rebellion be a Matter of general Notoriety, and not come to your Knowledge, in your Camp, at Dinapore? Might that Fact have been notorious, without your knowing it?

A. I really do not understand how to answer that Question.

Q. Was your Situation such, that if it had commonly been talked of, you would have heard it?

A. If I am asked, Whether I heard that the Begum had raised Troops, I can answer it. But as to her Disposition, or what she really did, I cannot really say.

Q. Do you know any Thing of her raising Troops?

A. No, never.

Q. Do you believe it likely, that the Begums could have effected the Extirpation of the English, if they had attempted it?

A. I believe it was impossible.

Q. When did you first hear the Begums charged with any Rebellion, or treasonable Practice?

A. I really cannot charge my Memory with it, I recollect hearing it in Conversation, in Company some Months afterwards, but nothing in particular.

Q. Do you know when their Treasures were seized?

A. Yes, I believe I know within a Fortnight or Three Weeks of the Time.

Q. Was it at that Time that you heard those Reports?

A. I cannot charge my Memory: What I heard was merely in Conversation from some Gentlemen, that there was such a Report, but from no Authority; as I said before, I do not know any Thing, but merely by Report. I never was employed by Mr. Hastings upon any Publick Matter, nor was I ever in his Confidence; therefore I cannot possibly know any Thing for Truth.

Q. I think you said it was Three or Four Months after the Application to you from Benares for Troops, that you first heard any Thing of the Begums being in Rebellion; was it sooner or later?

A. I think the Troubles began at Benares about the 20th of August; I speak merely from Memory; and I understood that the Force which I sent to Mr. Hastings, was in consequence of the Rajah of Benares Disaffection: As to the Begums Affair, I think it was in January or February following that I heard of it; but it was merely a cursory Matter in Conversation.

Q. Did you see Sir Elijah Impey, either upon his going to join Mr. Hastings, or upon his Return?

A. He did me the Favour to call in the Cantonments as he was going. He supped one Night in the Cantonments, and set off next Morning.

(a) Vide supra, Page 216.

Q. Was that upon his Return ?

A. No, going ; not on his Return.

Q. Did you see Mr. Hastings, when he returned from these Provinces to go to Calcutta ?

A. Yes, he did me the Favour to call in the Cantonments, and to dine with me.

Q. Did Mr. Hastings at the Dinner, or at any Time while he remained in those Cantonments, inform you of the Rebellion of the Begums ?

A. No.

Q. Did any Officer with Mr. Hastings hold any Conversation upon that Subject with you ?

A. None, nor had we any Conversation *pro* or *con* about publick Matters.

Q. What was the general Fame of the Country, with respect to Colonel Hannay's Government, in the Nabob's Dominions ?

A. I know nothing of it but by Report.

Q. What have you heard about it ?

A. The Report was various, the Place where he commanded was very distant from where I was, and we had no Sort of Communication.

Q. What was that Variety of Report ?

A. If you will ask me any Thing particular I will answer, but I cannot charge my Memory to answer in general Terms.

Q. Do you, or not, recollect any general Report, which you heard relative to Colonel Hannay ?

A. I heard that the Inhabitants of Goruckpore were very much disaffected towards Colonel Hannay.

Q. Did you not hear he had committed great Oppressions in the Country : In short, can you recollect any Thing you heard about him ?

A. What I heard about him was inimical, in respect to the Disposition of the People ; but all the Goruckpore District are a rebellious People, and I believe were People that never paid any Revenue to the Nabob, without its being very severely enforced.

Q. Did you ever hear that the Begums caused any Insurrections, or inflamed this Disposition ?

A. Never.

Q. What was the general Opinion in the Army, with respect to the Cause of Colonel Hannay's disastrous Situation in 1781 ?

The Counsel for the Defendant objected to the Question, as going to general Report of a particular Fact.

Q. What Circumstances do you know with respect to the Conveyance of any Treasures of Colonel Hannay's, down the Ganges to Calcutta ?

A. I have repeatedly mentioned before, that every Thing I know of these Matters is intirely by Report.

Q. From the Means you had of obtaining a Knowledge of the Disposition of the People in Fyzabad, to whom do you conceive the Begums would have applied for Assistance, if they had had any Occasion to raise Troops, or had apprehended any Danger : Have you any Knowledge of the Situation of Fyzabad at all ?

A. I have.

Q. Then, from the Knowledge you have of Fyzabad, where could the Begums have had Recourse for Force, if they had wanted it ?

A. Immediately to Lucknow.

Q. To whom do you think they would have applied, at Lucknow ?

A. They would either have applied to Lucknow, or to the Governor General and Council.

Q. But the Question is, if they had applied to Lucknow, to whom would they have applied there ?

A. To the Resident.

Q. (*Cross examined*). How far is Dinapore from Fyzabad ?

A. I cannot charge my Memory with the Distance positively. The India Company have a Book of the Roads, published by Authority, by Major Reynolds, if the Book was here it would ascertain it exactly.

Q. Can you tell the Distance nearly ?

A. I do not know.

Q. Specify within Thirty, Forty, or Fifty Miles; do you know the Distance?

A. Not exactly; but the Book of Roads can be easily resorted to.

Q. Should you go through Benares, in order to go to Fyzabad from Dinapore?

A. There is a Road that Way, but you may go another; that is the most general high Road.

Q. How near is it, according to your Memory?

A. I really believe it is Three hundred Miles, if not more.

Q. Whether the Communication between Dinapore and Fyzabad was open about the Month of September?

A. I do not know.

Q. (*by the Managers.*) Was it open to Benares?

A. It was not open for a long Time during the Troubles; but I cannot positively ascertain the Time. As soon as our Troops made a Junction there, and quelled them, it then began to be open; I cannot positively ascertain the Time.

Q. Do you recollect, whether you gave any Reward to Messengers to go from Dinapore to Benares?

A. I offered a Thousand Rupees to People that offered themselves to go, and they undertook to go in Five Days. I advanced Fifty Rupees to the Man who promised to go.

Q. This was at the Time, before the Troubles at Benares were quelled?

A. Yes.

Q. Do you know of what Description of Force the Troops under Cheit Sing consisted?

A. I do not.

Q. Did the Nudjeebs compose Part of the Force of Cheit Sing?

A. I never heard.

Q. Did your Situation afford you an Opportunity of knowing, of what Cheit Sing's Force consisted?

A. Not positively: Nothing but by Report. I had nothing at all to do with him, nor did I know any Thing further of him, than hearing he had a large Force always; that I saw as his Father had.

Q. Whether it was Mr. Hastings's Custom at any Time, to talk of publick Subjects at Dinner: Was it usual for him in Company to talk about publick Affairs?

A. I believe I mentioned before, that I never was in Mr. Hastings's Confidence; and I believe it was very unusual for him to say any Thing about publick Matters.

Q. Have you had frequent Opportunities of dining, and being in Company, with Mr. Hastings?

A. Very often.

Q. Did he use to talk of publick Subjects in that Sort of Society?

A. I do not recollect that he did.

Q. You have said, you did not believe the Force of the Begums could be sufficient to extirpate the English; are you acquainted sufficiently with the Establishments, in their several Jaghires, to know what their Force was, and whether it would not have been very considerable, joined to Cheit Sing's?

A. I do not know what their Force was.

Q. Whether that was not a Crisis, in which the Addition of any considerable Force, would have had great Effect upon the Success of the British Arms?

A. I do not know how to answer that Question; if you mean, to oppose the British Troops, I should think they would not.

Q. Whether, from your Knowledge of Mr. Hastings, and of the Reputation that he had in the Country, you think he would have countenanced Oppression in any Body whatsoever?

A. No; I do not imagine he would.

Q. (*from a Lord.*) You said, that on or about the 20th of August, and a Month before the signing the Treaty of Chunar, you heard Something about a Rebellion, which induced you to make Preparations to assist Mr. Hastings; I wish to know what that Something was, and from whom you heard it?

A. I know nothing at all about the Treaty of Chunar.

Q. You said, you had your Corps in Readiness, expecting it would be called for; the Question put to you is, what was the Nature of the Information you had received, and from whom you received the Information, which caused you to hold your Corps in Readiness?

A. I heard the Report first in the Bazar or publick Market; then I received a Letter from Mr. Law at Patna, informing me there had been some Disturbances at Benares, and he was afraid of the Consequences. Upon this I took Alarm, and ordered a Battalion of Sepoys (Major Crawford's) to be got in Readiness and supplied with 24 Rounds a Man.—About one o'Clock next Morning I received a publick Letter from Major Palmer, in the Governor General's Name, to detach a Battalion immediately, and they marched the next Morning.

Q. Was that, on or about the 20th of August 1781?

A. I cannot charge my Memory. The Troubles began about the 18th or 20th, and I believe it was the 21st. I presume particular Days, within Two or Three Days, makes no Manner of Difference; it is all from my Memory, for I did not bring home those publick Papers with me.

Q. (*from a Lord.*) Do you remember what Length of Time there was from your hearing that Report which made you prepare, to your actually receiving the Letter from Major Palmer?

A. Not above Thirty-six Hours.

Then the Witness was directed to withdraw.

The Managers for the Commons stated they should next read some Letters from Mr. Hastings to the Vizier, to shew the Earnestness with which Mr. Hastings pressed the Re-appointment of Colonel Hannay, even after he had Knowledge of his Misconduct.

Read, the following Extracts from Book 111, already delivered in.

“ To the Nabob Vizier.

Written 26th April 1780.

13. “ I have learnt, with very great Satisfaction, that your Excellency has been pleased to restore to Major Hannay the Charge of superintending the Districts of Gorickpore, &c. with which he formerly invested him. I esteem this a Mark of your Attention to my original Recommendation of Major Hannay; and from the Abilities, Integrity, and Zeal for your Service, which I know he possesses, I am persuaded your Excellency will have no Cause to repent the Appointment you have given him. In order, however, that the Intention of this Appointment may not be defeated, and that the Major may not be deprived of the Means of accomplishing the Services expected from him, it is indispensably necessary that your Excellency should not only give him due Authority and Support, but that you should convince him, as well as the immediate Rulers of the Country he has to superintend, and above all the People about your own Person and Court, that you place an implicit Faith and Confidence in his Zeal for your Service, and will not suffer any Person whatever to obstruct or thwart him in the Exertion of it. This is so obviously necessary that I trust it is your Excellency's firm Intention to do so, and it will be the certain Means of obviating these Difficulties and vexatious Obstacles, which I understand, and have every Reason to believe, were opposed to the Major's Endeavours when he was before employed by your Excellency in that Country, to the great Detriment of your Service and Government.

“ So long as your Excellency observes that Line of Conduct towards Major Hannay, I shall be very happy to hear of his Continuance in the Office wherein you have placed him, because I am convinced his Labours will be attended with the most salutary Effects to your Government, and that Degree of Credit and Reputation to himself, which I always flattered * would result from my Compliance with your Excellency's first Requisition of his Services. * Sic in Orig.

“ It is not my Intention to force, or even to influence your Excellency's Inclinations with respect to employing Major Hannay; whatever may be my Wishes on this Head, I do not desire they should controul yours. The Term of Major Hannay's Services depend † on your Excellency's Pleasure: All I shall contend for is, that while he is employed by your Excellency, he be employed in such a Manner as not to bring Disgrace on his own Character, or Discredit on my Recommendation. This is certainly what I have a Right to expect; and I think it necessary to declare to your Excellency, that unless it is complied with, it will become my Duty to recall Major Hannay altogether from your Service. The personal Regard I have for him, will not suffer me to continue him in any Situation where he is subject to unbecoming Treatments; and I think much too highly of his Abilities, to consent to their being thrown away in an useless Pursuit. † Sic in Orig.

“ Your Excellency will not consider this Letter as written in consequence of any Representations from Major Hannay—he is not acquainted with writing it; and the Tenor of all the Letters I have received from him since his Re-appointment to his former Charges, would encourage me to believe your Excellency had determined to pursue that Line of Conduct towards him, which I have now taken the Liberty to recommend; but Major Hannay must expect to meet with powerful Opposition among the Dependants of your Court, who will naturally view his Appointment, and the Confidence which you may be inclined to reposit ‡ in him, with Jealousy and Disgust, and their most artful Insinuations will ever be employed to bias your Judgment, and betray you into their interested Views. This, I am persuaded, was the principal Source of all the Vexation

tion and Disappointment which the Major experienced in his former Endeavours to promote your Excellency's Service; and it is the Desire I have to guard you against such incendiary Designs in future, that has induced me to give you this early Declaration of my Sentiments and Expectations on Major Hannay's Appointment."

" To Hyder Beg Khan.

Written the 26th April 1780.

14. " Having been informed, that the Vizier has been pleased to restore Major Hannay to the Office of superintending the Districts to the Eastward of the River Gogra; I have thought it necessary to write to his Excellency, signifying my Sentiments and Expectations in regard to the Major's Appointment.

" As you have a principal Share in conducting the Affairs of the Nabob, and consequently an Influence with him, I enclose you a Copy of a Letter to his Excellency on the above Subject, that you may also be clearly informed of my Sentiments and Wishes; and as it must appear to every Man of Understanding or Discernment, that I have recommended nothing, but what tends to promote the Interests of the Nabob's Government, I do expect from you a willing and hearty Exertion of all your Endeavours to render my Recommendation effectual. You must be well acquainted with the Regard I bear Major Hannay; and you may be assured, that I shall consider every Act of Kindness to him, as a Testimony of your Attention to me."

To prove, that the Nabob's Complaints to Mr. Hastings, of the Misconduct of the English Officers in his Country, were ineffectual;

Read, from Book 119, already delivered in, the following Letter from the Nabob Vizier to the Governor General, received the 1st February 1781, beginning at Page 21 of the same.

" From the Nabob Afoph ul Dowla.

Received 1st February 1781.

" All the Officers stationed with the Brigade at Cawnpore, Futtighur, Darunghur, and Farruckabad, and other Places, write Purwannas, and give positive Orders to the Aumils of all these Places respecting the Grain, &c. from which Conduct the Country will become depopulate. I am hopeful from your Friendship, that you will write to all these Gentlemen not to issue Orders, &c. to the Aumils, and not to send Troops into the Mahals of the Sircar; and for whatever Quantity of Grain, &c. they may want, they will inform me and the Resident, and we will write it to the Aumils, who shall cause it to be sent them every Month, and I will deduct the Price of them from the Tuncabs. This will be agreeable both to me and to the Ryots."

" Copy of a Letter from the Nabob Vizier to Rajah Gobind Ram.

" I some Time ago wrote you the Particulars of the Conduct of the Officers, and now write them again. The Officers and Gentlemen who are at Cawnpore and Futtighur, and Darunghur, and other Places, by different Means, act very tyrannically and oppressively towards the Aumils, and Ryots, and Inhabitants; and to whomsoever that requires a Dulluck, they give it with their own Seal affixed, and send for the Aumils and punish them. If they say any Thing, the Gentlemen make use of but Two Words; One, that is, for the Brigade, and the Second, that is, to administer Justice. The Particulars of it is this*, that the Bipparies will bring their Grain from all Quarters, and sell for their Livelihood. There is at present no War to occasion a Necessity for sending for it. If none comes, whatever Quantity will be necessary every Month, I will mention to the Aumils, that they may bring it for Sale; but there is no Deficiency of Grain. The Gentlemen have established Gunges for their own Advantage, called Colonel Gunge, at Darunghur, Futtighur, &c. The Collections of the Customs from all Quarters they have stopped, and collected them at their own Gunges. Each Gunge is rented out at 30,000,—40,000, Rupees, and their Collections paid to the Gentlemen. They have established Gunges where there never were any; and where they were, those they have abolished. 30,000 or 40,000 Rupees is the Sum they are rented at. The Collections, to the Amount of a Lack of Rupees, are stopped. Major Brilcoe, who is at Darunghur, has established a Gunge, which rented out for 45,000 Rupees, and has stopped the Ghauts round about the Bipparies; and Merchants coming from Cashmere, from Shaw lehanabeid, and bringing Shauls, and other Goods and Spices, &c. from all Quarters, he orders to his Gunge, and collects the Duties from the Aumils, gives them a Chit and a Guard, who conducts them about 500 Cose. The former Duties are not collected. From the Conduct at Cawnpore, Futtighur, Farruckabad, &c. the Duties from the Lilla of Gora, and Thlawa, are destroyed, and occasions a Loss of 3 Lacks of Rupees to the Duties; and the Losses that are sustained in Farruckabad may be ascertained by the Nabob Mozuffir Jung, to whom every Day Complaints are made; exclusive of the Aumils and Collectors, others lodge Complaints. Whatever I do, I desire no Benefit from it; I am remediless and silent. From what happens to me, I know that worse will happen in other Places. The Second Word I know is from their Mouths only: This is the Case. In this Country formerly, and even now, whatever is to be

received

* See in Orig.

received or paid amongst the Zemindars, Ryotts, and Inhabitants of the Cities, and poor People, neither those who can pay, or those who cannot pay, ever make any Excuse to the Shroffs, but when they could pay they did. In old Debts of 50 Years, whoever complain to the Gentlemen, they agree that they shall pay One-fourth, and send Dustucks and Sepoys to all the Aumils, the Chowdries, and Canoongoes, and Inhabitants of all the Towns; they send for every Body to do them Justice, confine them, and say they will settle the Business. So many and numerous are these Calamities, that I know not how much Room it will take up to mention them. Mr. Briscoe is at Darunghur, and the Complaints of the Aumils arrive daily. I am silent. Now Mr. Middleton is coming here, let the Nabob appoint him for the settling all these Affairs, that whatever he shall order those Gentlemen they will do. From this every Thing will be settled, and the Particulars of this Quarter will be made known to the Nabob. I have written this, which you will deliver to the Governor, that every Thing may be settled, and when he has understood it, whatever is his Inclination, he will favour me with it. The Nabob is Master in this Country, and is my Friend. There is no Distinction. Written the 12th Zekaida."

Then the House adjourned to the Chamber of Parliament.

Die Mercurii, 21^o Maij 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

It was moved that Major Scott might be called in.

The same was agreed to.

Then, MAJOR SCOTT being called in, acquainted the House that he wished to explain an Answer to a Question put to him in a former Examination, which he did not understand at the Time, respecting a Communication to Mr. Larkins.

Then the following Questions and Answers were read by the Clerk.

“ Q. Was you not made the Channel of Communication between Mr. Larkins in India and the Court of Directors, respecting Money taken by Mr. Hastings ?

“ A. I was ; and I will beg Leave to explain that Circumstance also, by taking it up from the Time it originated. I think in the Month of March 1784, nearly about the Time of the Dissolution of Parliament, a Letter was sent from the Court of Directors to Mr. Hastings, desiring from him an Explanation of the several Sums that he had received : I think he was desired to state the Periods when each Sum was received, and his Reasons for concealing that Receipt from his Council. This Letter arrived in Bengal, as I understood, in the Month of September 1784, when Mr. Hastings was at Lucknow. Mr. Hastings came down to Calcutta in November 1784, and resigned the Government of Bengal the 1st February 1785. It happened, that he had not adverted to that particular Paragraph from the Court of Directors, before he left Bengal ; and, upon his Arrival in England, I mentioned this Omission to him : In Consequence of that, he wrote a Letter from Cheltenham, to the Court of Directors, mentioning the Circumstances, answering their Questions, and telling them, that, if they wanted a full and complete Account of all the Transactions, he referred them to Mr. Larkins, who was acquainted with the Whole of them. I thought that the Court of Directors might be satisfied with the Explanation Mr. Hastings had then given, and that neither they, nor the Board of Commissioners, might think it worth their While to enquire any more about it, as they had received all the Money, and it had been expended upon the Company's Account. The Event has proved, that I thought right : But I took the Liberty to mention to Mr. Hastings, (from believing in my Conscience, that he never was concerned in any pecuniary Transactions that he would wish to conceal) ; I took the Liberty to mention to him, that he had better, himself, write to Mr. Larkins, and desire he would send the Account to this Country, to the Chairman of the Court of Directors. In consequence of that Letter, which Mr. Hastings did write, Mr. Larkins sent Mr. Hastings a Letter, directed to the Chairman of the Court of Directors, containing the Account, a Part of which was just now read. Mr. Larkins assigned to Mr. Hastings, as a Reason for sending the Account under Cover to him, that, as neither he, nor the Governor General and Council, had received any Orders or Directions, from the Court of Directors, upon this Subject, he thought he could not, with Propriety, address them directly ; and therefore had sent the Letter to Mr. Hastings, to deliver himself. Mr. Hastings desired me, as I was going into the City that Day, to give it to Mr. Michie, the Chairman, though it was directed to Mr. Devaynes, who had been the Chairman the preceding Year : That is the Reason of my delivering the Letter to Mr. Michie as I did.

“ Q. The Question is, Whether there was any Communication that passed through you ?

“ A. That was the only Communication.” (a)

(a) Vide supra, Page 566.

Then

Then the Witness said ;

I beg Leave, in Explanation of that Answer, to say, that I supposed the Second Question to relate only to any Communication that might have been made to the Court of Directors through me from Mr. Larkins, or some Person in India ; but, as it appears in the Minutes of Evidence, the Question is general ; and another Communication certainly did pass through me upon the Subject of Presents.—In the latter End of the Month of June, 1785, or early in July, I wrote a Letter to Mr. Devaynes, then the Chairman of the Court of Directors, in which I detailed to him the fullest Account of those Presents that it was in the Power of Mr. Hastings to give. That was prior to the Date of Mr. Hastings's Letter from Cheltenham.—There is another Part of my Evidence which, if your Lordships will give me Leave, I can now speak to with more Certainty than I did before.—In consequence of a Question put to me when I was last examined, relative to the Departure of the Nymph, I answered as I thought the Fact was ; and, upon Inquiry, I find it to be precisely as I stated it.—The Nymph went with Sir Edward Hughes to Negapatnam, and then to Trincomale ; and after the Capture of Trincomale on the 15th of January 1782, Sir Edward Hughes sent that Ship with Dispatches to Government ; and the Letter from Fort William, dated in October 1781, came in the same Vessel.

Q. (*from a Lord*). In the Affidavit of Ahlaid Sing, there is an Expression which, perhaps, you can explain ; and that is, “ that, after a few Days, an Order came from the Colonel to Munnowur Khan, directing, that if the Rajah, Mustapha Khan, had been put to Death, well—if not, strike off his Head” (a) : And, it was afterwards said, that he was beheaded in consequence. Do you know who the Colonel was, that is alluded to in that Affidavit ?

A. I really do not know ; but I should suppose it was Colonel Hannay.

Q. (*from the Managers*.) When and where did you discover this Error in your former Evidence ?

A. I discovered it at the Office of Mr. Cowper, the first Moment I read the Passage : I mentioned it to him then, as soon as I read it ; I believe it was the Day before Yesterday ; and I said, I earnestly wished to have an Opportunity of explaining it. I beg to observe, that it does not go to correct any one Part of the Evidence I have given ; but it was an Error in supposing a Question to be confined, which Question, upon reading it in the Minutes of Evidence, I find to be general. A Question was asked me, Whether I was the Channel of Communication from Mr. Larkins, in India ? I answered, pointedly and directly, how far I was the Channel of Communication. Another Question was then asked, which I supposed to have Reference to the former Question ; but, upon reading it in the Minutes, I find it to be general : And I certainly did write a Letter to Mr. Devaynes, upon the same Subject of Presents : It is not to correct any Part of my former Evidence ; but to give a direct Answer to a Question which I did not understand before.

Q. Do you mean to say, that you did not discover this Mistake before it was printed ?

A. Not till it was printed.—I discovered another Thing that I supposed to be an Error, which I found afterwards was no Error in my Evidence ;—but this particular Part I did not discover till I read it ; and the Moment I read it, I mentioned it to Mr. Cowper.

Q. Did Mr. Hastings apprise the Court of Directors that he had received a Sum of Money as a Present, when he made the Offer to apply that Money to the Service of Colonel Camac's Detachment ?

A. I do not recollect what is the precise Expression of the Letter : It is in a publick Letter, and that will speak better to the Point than my Recollection can.

Q. Did Mr. Hastings mention to you his having received that Sum of Money as a Present, at the Time he made that Order to the Board ?

A. The Transaction happened when I was in India, in my Way from Calcutta to Chunar : It happened when I had left Mr. Hastings's Family, therefore he never mentioned any Thing of it to me in India at all.

Q. Whether you do not know, that in Point of Fact, Mr. Hastings never informed the Court of Directors that he had received that Present in any Shape, till the Court of Directors had demanded an Explanation from him upon that Head ?

A. Now I understand the Question, and will answer it according to my Construction of the Passage in Mr. Hastings's Letter, as far as I recollect it. He certainly did make a Communication, because, if I am not mistaken, the Expression is this, “ The Money, by whatever Means it came into my Possession, was not my own ; and I neither could, nor would, have received it but for your Use.” Which, I think, implies clearly that it was Money received as a Present.

(a) Vide supra, Page 240, Line 7.

The Managers for the Commons stated, That that was directly contrary to the Fact.

The Counsel for the Defendant requested that the Letter might be read to the Witnesses, that he might have an Opportunity of knowing whether it were, or were not, consistent with the Evidence he had just given.

The Managers for the Commons were asked, if there was any Thing in the Letter, more than what the Witnesses had repeated upon that Subject.

The Managers for the Commons acquainted the House, they meant to speak of the First Letter, where Mr. Hastings mentions having applied Money to the Use of Colonel Camac's Detachment.

The Witnesses said,

That is a Letter of the 29th of November 1780, I believe. If your Lordships will have the Goodness to permit me to observe, that the Honourable Managers and I are speaking of Two Things perfectly different.—The Honourable Managers, as I understand, talk of a Minute of Council:—I speak of a Letter written by Mr. Hastings to the Court of Directors, dated in November 1780, which was the First Account he gave of the Present, and that I understood to be the Question put to me.

The Managers for the Commons stated, that the Witnesses must have misunderstood the Question.—They understood the Witnesses to have deposed, that in Mr. Hastings's Communication to the Court of Directors, he understood the Substance of what Mr. Hastings said, to imply that he had received a Present.—That might possibly be so in the Letter; but what they meant to shew was, that the Witnesses in stating that, must have been incorrect; because, in Point of Fact he mentioned it in another View, and not in a Way to justify the Witnesses, or any Person, in saying that it was stated as a Present; that they referred to the Minute of Council for that Purpose.—As to any Letters of Dates long subsequent, they were not material to the Question.

The Witnesses said,

It is a Letter from Mr. Hastings to the Court of Directors, dated Fort William, the 29th November 1780: In that Letter he says; "The Money, by whatever Means it came into my Possession, was not my own, that I had myself no Right to it, nor could, or would have received it, but for the Occasion which prompted me to avail myself of the accidental Means, which were at that Instant afforded me of accepting and converting it to the Property and Use of the Company." This is the Letter of which I spoke.

Q. That is what you applied your Explanation to?

A. Exactly.

The Managers for the Commons were asked, if there was any other Question which they wished to put by way of Explanation.

The Managers for the Commons stated, that the Letter which they alluded to, sent afterwards from the Court of Directors to Mr. Hastings, was dated the 25th of January 1782; in which (alluding to this Transaction, of his offering to supply the Expence of Colonel Camac's Detachment, as appears by the Minutes of Council) they say,

"In regard to the First of these Transactions, we readily conceive that in the then State of the Council the Governor General might be induced to temporary Secrecy respecting the Members of the Board, not only because he might be apprehensive of Opposition to the proposed Application of the Money, but perhaps because Doubts might have arisen concerning the Propriety of appropriating it to the Company's Use on any account: But it does not appear to us that there could be any real Necessity for delaying to communicate to us immediate Information of the Channel by which the Money came into his Possession, with a complete Illustration of the Cause or Causes of so extraordinary an Event.

"Circumstanced as Affairs were at the Moment, it appears that the Governor General had the Measure much at Heart, and judged it absolutely necessary. The Means proposed of defraying the extra Expence were very extraordinary, and the Money, as we conceive, must have come into his Hands by an unusual Channel; and when more complete Information comes before us, we shall give our Sentiments fully upon the whole Transaction:"—

That, in answer to this Letter of the 25th of January 1782, Mr. Hastings makes a Communication that the Money was a Present, but conceals from whom that Present was taken. The Witnesses, in his former Evidence, states that Mr. Hastings did communicate

municate that he had received a Present when he first received the Money, and when he first made the Offer to the Board, and that he afterwards communicated to him that that Present was received from Cheit Sing; whereas it appears here that he did not make any Communication of the Means by which the Money came into his Hands; but, upon the Court of Directors rebuking him, and requiring an Explanation, then he made that partial and half Confession that it was a Present, but conceals from whom. They desired the Witnesses therefore to be asked,

Q. Whether that Fact did not contradict his former Evidence?

A. I am perfectly clear without having the Evidence before me, or looking at it, that it is precisely agreeable to my former Evidence, and that there is not the smallest Contradiction of any Kind; but the Word "Board" has been introduced in the Observations just made, which I never made use of in my former Evidence. I referred to this Letter to the Court of Directors, and never said a Syllable of any Thing that passed at the Board about the Money. I am perfectly convinced that it will be found correct.

The Witnesses was directed to withdraw.

The Managers for the Commons acquainted the House, they would next proceed to a Head of Evidence, which they should call Subornation of Letters, in order to shew, that, besides the general Practice of suppressing Correspondence, Mr. Hastings and Mr. Middleton were themselves the Fabricators of almost all the Letters of the Nabob, which were favourable to their Views.

Read, the following Extract of a Consultation of the 21st May 1781, from Book 35, already delivered in, beginning at Page 1306 of the same.

"Fort William, 12th May 1781.

Secy Dept.
Monday.

"At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
And Edward Wheeler Esq.
Lieutenant General Sir Eyre Coote, K. B. absent on Command at the Presidency of Fort Saint George.

"From the Nabob Vizier to the Governor General.

Received the 20th May.

"I have frequently written to you, that I cannot submit to the Authority of Two Gentlemen, and desiring that you would recall Mr. John Bristow, and engage by Writing to continue Mr. Middleton for ever with me; because, from the Beginning to this Time, I have never deviated from the Friendship of the Company and you. I have been for a long Time hopeful, that, from the increased Friendship, I shall be in Peace, and relieved from all Difficulties, and particularly at this Time, when, agreeable to my Wishes, you have, by the Blessing of God, the Power. You have frequently promised, in Answer to my Request, that you would send for me, but as yet you have never done it. The Particulars of Mr. Bristow are as follow: He openly and publicly declares, that he is in Expectation of Orders from Europe, giving him entire Authority over the Affairs of this Quarter; and that he has such Connection and Interest with the Gentlemen in Europe, that Orders for his Authority will most certainly be sent; and that he will not give up the Point for Ten, Fifteen, or Twenty Years; that he now remains silent, but will at last receive full Powers, and will then call me to an Account for my Behaviour to him. These Expressions there can be no Doubt of, as they are publicly spoken. As such Declarations and Threats made use of by him, are an Insult to you, and an Injury to the Administration of Affairs here; I am therefore certain you will not consent to my suffering such Distresses. For God's Sake do not be unfavourable in this Matter, but recall Mr. John Bristow from hence, and grant me a written Agreement, specifying that Mr. Middleton shall be continued for ever with me; and, to prevent his applying to Europe, send me, if you think proper, the Drafts of Letters which I may write to the King, the Vizier, and the Chiefs of the Company; and do you also write. From your Favour and Kindness, let this be done without Delay.

A true Translation.

(Signed) Edward Colebrook, Persian Translator." (a)

Read, also, the following Extract from the same Book, and same Consultation, beginning at Page 1312 of the same.

"Copy of a Letter from the Nabob Vizier to Rajah Gobind Ram.

"I have frequently written to the Nabob Amiaud ud Dowlah, about the Recall of Mr. John Bristow, and the Nabob promised he would soon do it; but to this Time he has not had an Opportunity of doing it. In the mean while, Mr. Bristow resides here, and has come twice to

(a) Vide Appendix, N° XXXV.

pay a Visit; but I have not yet returned it, nor will I return it. He is now expecting Orders from Europe, which, he says, will give him sole and entire Authority. Represent this to the Nabob in private. By the Blessing of God, you are wise, and acquainted with all Matters. This long Delay, after Mr. Bristow has been told that he will be recalled to Calcutta, is a Disgrace to both Sides. I imagine the Nabob is acting prudently, so as to prevent Mr. Bristow's Attempt from reaching Europe; otherwise how could the Orders from Calcutta have been so delayed? By the Blessing of God, at this Time the Nabob, conformable to the Wishes of his Friends, has got the Power; it is therefore necessary for him to attend to the Concerns of his Friends, and to recall Mr. Bristow from hence, and grant a Sunnud, in the Nature of an Engagement, for Mr. Middleton to remain here for ever. If it is proper, I will write to the King, the Vizier, and the Chief of the Company, in such Manner as he shall direct, and in the Words which he shall order, that Mr. Bristow's Views may be thwarted there. A long Time has passed in anxious Expectation; let him now be favourable to me, and recall Mr. Bristow without Delay. Should any further Delay happen in this Matter, or no Answer be returned to my Letters, being remediless, I will, without the Permission or Knowledge of the Nabob, leave this Place and go to the Nabob's Prefence. Why is Bahar Ally Khan still in that Quarter? Do you mention it to the Nabob, and procure his Dismission from thence, that he may come to Fizeabad; and let the Nabob write to my Mother, that when he comes in Person to this Quarter, he will do whatever the Nature of Affairs shall require.

" A true Translation.

(Signed) " Edward Colebrooke,

" Persian Translator." (a)

Read, from Book 120, already delivered in, the following Extract of a Letter from Rajah Gobind Raam to the Vizier, dated the 27th August, 1782.

" 27. Extract of an Arzie; written from Rajah Gobind Raam to the Vizier, by the Governor General's Directions. Written the 27th August, 1782.

" This Day the Governor General sent for me in private. After recapitulating the various Informations he had received respecting the Anarchy and Confusion said to reign throughout your Highness's Country, and Complaints that neither your Highness, or Hyder Beg Khan, or Mr. Middleton, or Mr. Johnson ever wrote to him on the State of your Affairs, or if he ever received a Letter from your Prefence it always contained Assertions contrary to the above Informations, the Governor General proceeded as follows: That it was his Intention to have appointed Mr. David Anderson to attend upon your Highness, but that he was still with Scindia, and there was no Prospect of his speedy Return from his Camp; therefore, it was now his Wish to appoint Mr. John Bristow, who was well experienced in Business, to Lucknow. That when Mr. Bristow formerly held the Office of Resident there, he was not appointed by him; and that notwithstanding he had not shewn any Instances of Disobedience, yet he had deemed it necessary to recall him, because he had been patronized and appointed by Gentlemen who were in Opposition to him and had counteracted and thwarted all his Measures; that this had been his Reason for recalling Mr. Bristow, that since Mr. Francis's Return to Europe, and the Arrival of Information there of the Death of the other Gentlemen, the King and the Company had declared their Approbation of his (the Governor General's) Conduct, and had conferred upon him the most ample Powers; that they had sent out Mr. Macpherson, who was his old and particular Friend, and that Mr. Stables, who was on his way here as a Member of the Supreme Council, was also his particular Friend: That Mr. Wholer had received Letters from Europe, informing him that the Members of Council were enjoined all of them to co-operate and act in Conjunction with him, in every Measure which should be agreeable to him, and that there was no one in Council now, who was not united with him, and consequently that his Authority was perfect and complete: That Mr. Bristow, as it was known to me, had returned to Europe; but that during his Stay there he had never said any Thing disrespectful of him, or endeavoured to injure him; on the contrary, he had received Accounts from Europe that Mr. Bristow had spoken much in his Praise, so that Mr. Bristow's Friends there had become his Friends: That Mr. Bristow had lately been introduced to him by Mr. Macpherson, had explained his past Conduct perfectly to his Satisfaction, and had requested from him the Appointment to Lucknow, and had declared, in the Event of his obtaining the Appointment, that he should shew every Mark of Attention and Obedience to the Pleasure of your Highness, and his, the Governor's, saying that your Highness was well pleased with him, and that he knew what you had written formerly was at the Instigation of Mr. Middleton. That in consequence of the foregoing, he the Governor had determined to have appointed Mr. Bristow to Lucknow, but had postponed his Dismission to his Office for the following Reasons, (viz.) People at Lucknow might think that Mr. Bristow had obtained his Appointment in consequence of Orders from Europe, and contrary to the Governor's Inclination, but as the contrary was the Case, and as he now considered Mr. Bristow as the Object of his own particular Patronage, therefore he

directed me to forward Mr. Bristow's Arzie to the Presence, and that it was the Governor's Wish, that your Highness, on the Receipt thereof, would write a Letter to him, and, as from yourself, request of him that Mr. Bristow may be appointed to Lucknow, and that you would write an Answer to this Arzie expressive of your personal Satisfaction on the Subject. The Governor concluded with Injunctions, that until the Arrival of your Highness's Letter, requesting the Appointment of Mr. Bristow, and your Answer to this Arzie, that I should keep the Particulars of this Conversation a profound Secret, for that the Communication of it to any Person whatever would not only cause his Displeasure, but would throw Affairs at Lucknow into great Confusion. The preceding is the Substance of the Governor's Directions to me. He afterwards went to Mr. Macpherson's, and I attended him; Mr. Bristow was there. The Governor took Mr. Bristow's Arzie from his Hand and delivered it into mine, and thence proceeded to Council: Mr. Bristow's Arzie and the following Particulars I transmit and communicate by the Governor's Directions. And I request that I may be favoured with the Answer to this Arzie, and the Letter to the Governor, as soon as possible, as his Injunctions to me were very particular on the Subject.

Read, the following Letters from the Nabob Vizier to Rajah Gobindram, from Book 121, already delivered in.

" Copies of Letters from the Nuwab Vizier to Raja Govindram.

2.

Received the 1st January 1783.

" N^o 1. Dated the 10th Shawal 1196 Hegeree.

" The Arzie which you have sent is arrived. As to the Commands of Mr. Hastings, which you write on the Subject of the Distraction of the Country, and the Want of Information from me, and his Wishes, that as Mr. John Bristow has shewn sincere Wishes and Attachment to Mr. Hastings, I should write for him to send Mr. John Bristow; it would have been proper and necessary for you ~~privately~~ to have understood what were Mr. Hastings's real Intentions. Whether the Choice of sending Mr. John Bristow was his own Desire, or whether it was in Compliance with Mr. Macpherson's, that I might then have written conformably thereto. Writings are now sent to you for both Cases: Having privately understood the Wishes of Mr. Hastings, deliver which ever of the Writings he shall order you; for I study Mr. Hastings's Satisfaction; whoever is his Friend is mine, and whoever is his Enemy is mine; but in both these Cases my Wishes are the same, that having consented to the Paper of Questions, which Major Davy carried with him, and having given me the Authority of the Country, whomever he may afterwards appoint, I am satisfied. I now am brought to great Distress by these Gentlemen who ruin me. In case of Consent, I am contented with Majors Davy and Palmer. Hereafter whatever may be Mr. Hastings's Desire, it is best."

" N^o 2. Dated the 13th Shawal 1196 Hegeree.

" I have seen your Arzie.—As to what you have written according to Mr. Hastings's Orders, of the Representation of the Gentlemen about the Distress of the Country, the Robberies by Day and Murders by Night, and the Quarrels between Families far and near, and that neither myself, nor Mr. Middleton, nor Hyder Beg Khan write; the Representation of such Matters, is as if any one should say, " Why are you raising Dust from the Water of the River?" What Answer shall I write to this? The Gentlemen having from afar shewn Favour to me for the Government of this Place, represent this Situation of the Country, and this Want of Information from all; but there is no such Distress here, and I am not ignorant in such a Degree as not to comprehend my own Interest or Prejudice. On this Pretence, it having been settled to send Mr. Bristow, it is requested that I write to Mr. Hastings for him to be sent. Represent to Mr. Hastings, that whatever Agreement was made at Chunarghar, I fully abide by it; and that it is my Hope, that he will likewise, from his Friendship, adhere to the same Plan of Agreement, and that there be no Deviation from it."

" N^o 3. Dated the 13th Shawal 1196 Hegeree.

" Your Arzie has been seen.—You have written according to the Orders of Mr. Hastings, upon the Exposition of the Gentleman; the Distress of the Country; the Thefts and Robberies by Day, and Murders by Night; and family Quarrels; that neither myself, nor Mr. Middleton, nor Mr. Johnson, nor Hyder Beg Cawn write; that it had been resolved to send Mr. John Bristow from his Attachment and Zeal for the Service of Mr. Hastings, and that you request that I should write to Mr. Hastings to send that Gentleman. Having circumstantially considered, what shall I answer to the Exposition of the Gentleman, of the Distress of the Country, and the Non-information from me and the others; it is like the Proverb of raising Dust from the Waters of the River. The Gentlemen make all these Accusations for their own Continuance and Confirmation in Authority. Having kindly interested themselves in my Affairs, they thus represent and write to Mr. Hastings the Situation of my Country far and near. All this is the Diligence and Zeal of the Gentlemen towards me. I am not in such a Degree ignorant as not to know what is, or what is not, for my Advantage. Bound Hand and Foot, I am wheeled round by the Rage of the River, and then you tell me, be wise, do not wet your Garment. I am assured that the Friendship which the Gentlemen

Gentlemen here shew to me, is not known to Mr. Hastings and the Gentlemen of the Council. If it were fully known, it is certain that they could not have countenanced such Conduct. I am in a strange Situation, that my Life is even disagreeable to me. Mr. Johnson has appointed Aumils, and Peshkars, and Foujedars on his Part, and he has made me his Tothuckjee to give the Kelets; and when Mr. Johnson's Orders arrive, if there be any Instant's Delay, he is angry. I am like a Chuppagur to affix the Seal, and I am obliged to write whatever the Aumildars appointed by him wish, whether conformable or contrary to Custom; and the Delay of a Moment is the Cause of Anger. As my Condition is come to this Pass, what Pleasure is there left in Life? Represent to Mr. Hastings, that whatever be my Reasons of Complaint or Thanks, they arise only from my Destiny, and not from any Person: That after the Troubles of many Years, he has favoured me, and fixed a Mode of Ease and Quiet; That I have paid from my Country and House the Company's Money; and that he has told me, this Major Palmer, that after paying the Arrears to the End of the Year 1189, he would give me the Authority of the Country in the Year 1190: That I myself, making the Bundebutt of the Country, should cause the Brigade to be paid Month by Month; and that the Authority and Offices of the Gentlemen established here should cease, and one Gentleman should remain here. Accordingly, Mr. Davy has carried with him my Paper of Propositions; and it is now ordered, that Mr. Middleton and Mr. Johnson having neglected to give Information, Mr. Bristow for that Cause has been chosen, that he may settle the Affairs here: That I am frightened by the Authority of the Gentlemen who are here: That however what be the Intentions of Mr. Hastings towards me? will he give the Authority of the Country to me with Honour and Credit? Or, being more than the former Degree dishonoured, shall the Authority of the Gentlemen be increased, that they may ruin me? That should he, from his Favour, fix my Authority according to my Wishes, and the Paper of Propositions which Major Davy carried with him, my Request is, that he appoint Majors W. Palmer and Davy, that remaining with me, they may receive the Money. Besides, whomever he pleases let him appoint: I am a Dependant on his Satisfaction. If the Authority of the Country be not with me, what Satisfaction can I have in remaining in this Place, where I experience such Distress and ill Usage? The Country is at his Service, let him appoint whom he likes, that they may themselves govern the Country. My Request is, that going to Calcutta, I may remain with my Friend, Mr. Hastings. I have no Remedy but his Satisfaction and my Respect to him."

Read, from Book 120, already delivered in, the following Letter from the Governor General to Hyder Beg Khan, dated the 20th October 1782.

" 38. To Hyder Beg Khan: Written 20th October 1782.

" When Mr. Bristow lately addressed the Nawab, upon the Subject of my Intentions to appoint him to the Office of Resident at the Court of the Nawab Vizier, on the Part of this Government, provided that the Nawab himself had no personal Objection to him, I directed Raja Gobind Raum to receive and forward the Letter, and to inform the Nawab, that the Appointment of Mr. Bristow should depend upon his Pleasure, which in all Things I have made it my Study to consult and promote; but lest the Nawab, from the Recollection of past Transactions, might misconstrue my Recommendation into an ostensible Profession, and on that Account express Reluctance to assent to the Appointment, I desired Raja Gobind Raum to explain very particularly to the Nawab, both that I had a very high Esteem for Mr. Bristow, and an entire Confidence in his Attachment and Integrity, and the Reasons which had produced this Alteration in my Sentiments respecting that Gentleman; at the same Time I mentioned the Defection and Treachery of Almas Ali Khan, and the disordered State to which he had abandoned the Province of Do-aub, and the other Provinces of which he had the Charge. The like Symptoms appear in the Conduct of the Aumil of Rohilkand, and the general Disobedience and Confusion which prevailed in every Part of the Nawab's Dominions, of which, though known to all Mankind, I never received any Information, either from the Nawab, yourself, or from Mr. Middleton. In Answer to this Letter, Raja Gobind Raum received a Perwanna from the Nawab, containing Complaints and Reproaches at my Interference in his Affairs; and his Unwillingness to receive any Agent from me, but without any personal Dislike to Mr. Bristow, in whose Appointment he should acquiesce, if I chose to make it. These Sentiments, and these Expressions, are neither consonant to the Benevolence of the Nawab's Temper, nor to the Friendship which I know he possesses for me, but were dictated for other Purposes, known to yourself only; they are your Sentiments, and your Expressions, and not the Nawab's: But my Astonishment at the other Parts of the Perwanna is not to be expressed, for it declares all which I had said respecting Almas Ally Khan, and the disordered State of the Nawab's Government, to be entirely false, and without Foundation, and the Inventions of incendiary People; and that the Nawab's Government enjoyed the most perfect Tranquillity and Peace: Either these Affirmations were dictated by the Nawab, or written without his Knowledge; if they were dictated by the Nawab, they were such as would not admit of a Reply from me in an immediate Address to himself, because I must have told him that he was deceived, and kept in utter Ignorance of his own Affairs, at the same Time that the whole World, except himself, saw the Condition they were in, and the Destruction that was hanging over him; if the Letter was written in the Nawab's Name, but without his Knowledge, what must have been your Opinion of me,

me, that could induce you to attempt so gross a Deception upon my Understanding? in either Case your Conduct is without Excuse;—its Object I plainly see: By the Authority of the Nawab Vizier, you mean your own: When you make the Nawab to complain of the Usurpation upon that Authority, and to assert his Right to the uncontrouled Increase of it, the plain Interpretation of this is, that you yourself lay Claim to the Usurpation of his Authority, and to the uncontrouled Exercise of it. And how has it been exercised? I shall not repeat Particulars, having already written to you fully upon them, and the Subject is unpleasant; but I must tell you, that such is their Notoriety, that the Report of them is echoed to me from all Parts of Hindostan and Decan, and the most alarming Apprehensions are expressed by my Agents employed in the remote Affairs of this Government, lest they should attract the Hostilities of other Powers, and impede the Pacifications which are now, and have been for some Time past, impending.

“ I write thus plainly to you from two Motives; the First is, to shew how thin the Veil is by which you attempt to cover this Policy, and of course to convince you that I shall receive and construe every similar Declaration, however made to me from the Nawab, and every Letter written in his Name, tending to destroy or lessen the Friendship subsisting between us, as your Declaration, and as your Letter: The Second is, that as I do not so much ascribe these Artifices to you, as to the evil Counsels and Encouragements which you have lately received from other Persons, whose Names I need not mention, you may see and know on what Terms you may expect hereafter to retain my Friendship and Support, which I have hitherto given you. For the rest, I refer you to Mr. Britlow, to whom, both verbally and in Writing, I have communicated every Tittle of my Sentiments, Intentions, and Expectations upon this Subject.”

Read, from Book 122, already delivered in, the following Letter from Fize Ullah Khan to his Vakeel Buktawa Sing, beginning at Page 51 of the same.

“ Copy of a Letter from Fize Ullah Khan to his Vakeel Buktawa Sing.

“ Every One of the English Gentlemen, and Officers of the Army, residing in this Quarter, write to me respecting the Business in Hand, and other Matters, as it seems best to them.—If I comply with every Thing which each of them writes or says to me, they are pleased: If I act otherwise they are angry; and shew their Resentment by Accusations and false Charges against me.—In this Dilemma I know not how to act: Do you represent these Matters to the Governor, and state to him, that I can act under the Orders of One Person, but not under a Number—And write me word what Answer he gives.—Further, prevail on the Governor to write me a Letter, with the Name of the Gentleman I am to attend to, and send it to me, that I may act accordingly; and disregarding the Orders of every one who chuses to direct me, may not trouble myself whether they are angry or pleased.

“ Mr. Middleton wrote me, that a War had broke out between the English and French, and desired that I would send him a Letter agreeable to a Draft he enclosed me; and I accordingly wrote to him and the Governor, agreeable to that Draft; the Contents of which you may learn from the Copy of it.—The Case is, that my Horse are ready to go any where, and upon any Service they may be desired, and will act with Vigour and Spirit on all Occasions; but they will not learn the English Exercise, or be subject to the Subaltern Officers of the Army, such as Adjutants, &c. Make a Representation of this Matter, which is highly necessary; for should they be expected at the Time of Action to perform the English Exercise, it would occasion a Disappointment, which would be very improper.”

Read, from Book 115, already delivered in, the following Letter from the Vizier to the Governor General, Mr. Macpherfon, received on the 21st April 1785.

“ Extract of a Letter from the Vizier.

Received 21st April 1785.

“ 69. I desire nothing but your Satisfaction, and hope that such Orders as relate to the Friendship between the Company and me, and as may be your Pleasure, may be written in your own private Letters to me, through Major Palmer, in your Letters to the Major, that he may, in Obedience to your Orders, properly explain them to me; and whatever may be settled, he may first in Secret inform you of it, and afterwards I may write to you, having learnt your Pleasure. In this Way, the Secrets will be known to your Mind alone, and the Advice upon all the Concerns will be given in a proper Manner.” (a)

The Managers for the Commons acquainted the House, that the last Letter, and the Letter they were now about to read, were written to the Government after Mr. Hastings had left Calcutta; but that the Purpose for which they produced them, was to shew, that, after Mr. Hastings quitted the Government, the Nabob was desirous to know if he should continue the above mentioned Practice with his Successor.

Read, from the same Book, the following Extract of a Letter from Hyder Beg Khan to the Governor General, Mr. Macpherfon, received the 21st April 1785.

(a) Vide Appendix, N° LXXIX.

" No. 71. Extract of a Letter from Hyder Beg Khan, received 21st April 1785.

" I hope that such Orders and Commands as relate to the Friendship between his Highness's and the Company's Governments, and to your Will, may be sent through Major Palmer in your own private Letters, or in your Letters to the Major, who is appointed from you at the Presence of his Highness, that, in Obedience to your Orders, he may properly explain your Commands, and whatever Affair may be settled, he may first secretly inform you of it, and afterwards his Highness may, conformably thereto, write an Answer, and I also may represent it. By this System, your Pleasure will always be fully made known to his Highness, and his Highness and we will execute whatever may be your Orders, without deviating a Hair's Breadth; and let not the Representations of interested Persons be approved of, because his Highness makes no Opposition to your Will; and I your Servant am ready in Obedience and Service; and I make no Excuses (a)."

The Managers for the Commons acquainted the House, they would next proceed to shew, that besides the general Practice of Subornation of Letters, and dictating and directing what the Nabob and his Ministers should write, Mr. Hastings had suppressed, from the Knowledge of his Council and the Directors, the Whole of the Persian Correspondence, from the Year 1781 to the Year 1785; when, on his leaving the Country, such Parts of it as he thought proper were left behind him, in a Box, at Calcutta.

Read, the following Extract of a Consultation of the 19th February 1785, from Book 150, already delivered in, beginning at Page 449 of the same Book.

" Fort William, the 19th February 1785.

" At a Council; Present,

The Honourable John Macpherson Esquire, Governor General, President; and John Stables Esquire.

" The Persian Translator, attending in Obedience to the Board's Orders, reports, that, since the End of the Year 1781, there have been no Books of Correspondence kept in his Office, because, from that Time until the late Governor General's Departure, he was employed but once by the Governor General to manage the Correspondence, during a short Visit which Major Davy, the Military Persian Interpreter, paid, by the Governor's Orders, to Lucknow: That, during that whole Period of Three Years, he remained entirely ignorant of the Correspondence, as he was applied to on no Occasion except for a few Papers, sometimes sent to him by the Secretaries, which he always returned to them as soon as translated.

" The Persian Translator has received from Mr. Scott, since the late Governor General's Departure, a Trunk, containing English Drafts and Translations, and the Persian Originals of Letters and Papers, with Three Books in the Persian Language, containing Copies of Letters written between August 1782 and January 1785; and if the Board should please to order the Secretaries of the General Department to furnish him with Copies of all Translations and Drafts recorded in their Consultations, between the 1st January 1782 and 31st January 1785, he thinks that he should be able, with what he has found in Captain Scott's Trunk, to make up the Correspondence for that Period.

(Signed) Edward Colebrook,
Persian Translator."

The Managers for the Commons acquainted the House, they had closed this Head of Evidence.—They wished next to ascertain a Fact respecting the Date of a Letter, in the Benares Narrative, purporting to be written on the 29th November 1781, to prove, that no such Letter was written at that Time, nor received, or entered upon the Consultations at Calcutta; for which Purpose they desired Mr. Robert Hudson might be called in.

Accordingly Mr. HUDSON was called in, and the Benares Narrative being shewn him, the following Question was put:

Q. Have you looked at a Letter in that Book, dated Chunar, 29th November 1781, signed Warren Hastings, and directed to Ed. Wheeler, and John M'Pherson, Esquires, Members of the Council at Fort William? (b)

A. I have.

Q. Whether you have searched the Consultations and Records transmitted from Calcutta about that Period, and whether any such Letter appears upon them?

A. I examined the Correspondence some Time ago for the Purpose, and, at that Time, I could not find it.

(a) Vide Appendix, N° LXXX.

(b) Vide *supra*, Page 138.

Q. Have

Q. Have you ever found it?

A. I have not. I never saw it, except in the Copy of the Narrative sent from Calcutta, and in this printed Copy.

The Witness was directed to withdraw.

The Managers for the Commons acquainted the House, they would next proceed to a Correspondence, containing an exact Narrative and History of the Seizure of the Treasures, previous to their calling Mr. Middleton to that Point.

Read, a Letter from Mr. Hastings to Mr. Middleton, dated the 15th of November 1781, already delivered in (a) at the Bar, as follows.

“ To Mr. Nathaniel Middleton, Lucknow.

“ Sir,

Chunar, 15th Nov. 1781.

“ In your Letter, dated the 17th October, I find it generally asserted, by Lieutenant Colonel Hannay, in the Extracts quoted from his Letters, and confirmed by yourself, that, during the late Revolt of this Province, Levies, both of Horse and Foot, were openly made at Fyzabad, both by the Begums and by Cheyt Sing's Agents, in his Name and for his Use; that these Levies were dispatched to Benaris, publicly as his, One Party of 1000 Horse and Foot, under the Command of Shake Cawn: That Jewar Ally Cawn, in the Chowk of Fyzabad, asked every Man who bore the Appearance of a Soldier, Why he went not to Cheyt Sing for Service: That Futteh Sah, Ghunooroy, and Ajeet Mul, had crossed to Majowley, urged to that Step by Cheyt Sing, who had supplied them with Money, and promised them great Sums, if they would but put the whole Country into Confusion: That the principal Zemindars had all Certificates under the Seal of Cheyt Sing, that he would supply them with whatever Money they might require for subsisting all the Troops they could raise; that it was the general Belief of every Man in that Part of the Country, that it was a concerted Plan for the Extirpation of the English; that the whole Country, from Goonda to Maujee, and from Fyzabad to the Benaris District, and across from the Gogra to the Ganges, was in the utmost Ferment; that if we met with a Check at Benaris, every Man in the Country was ready to fall on our scattered Parties: That the Insurrection was not partial, but generally spread throughout the Whole; and if he (Colonel H.) might trust to his Information, it was already begun, and would soon rage as violently in Shahjehanpoor, Rohilcund, Cora, and the Doaub.

“ These are Facts of such Moment to the publick Service, and so necessary both to the Means which may be required for our future Preservation, and to the Justification of what has passed, and to what may be done to the same End, that I think it proper that they should be verified in the most authentick and sacred Manner; I must therefore request and require of you, in my Name, to call upon Lieutenant Colonel Hannay, Major Macdonald, Captain Williams, and Lieutenant Gordon, and every other Person who may have a personal Knowledge or Understanding of these Facts, or of any others relating to the Rebellion of Cheyt Sing, and its Connections in the Dominions of the Nabob Vizier, severally to depose all that they know and believe concerning the same, either on Oath before Sir Elijah Impey, who will instantly visit Lucknow chiefly with this Intention, or that they repair to me at this Place for the same Purpose.

“ Respecting the Levies made at Fyzabad, the March of Shake Cawn, with a Force declared for the Service of Cheyt Sing, the publick Invitations of Jewar Ally Cawn, the Certificates under the Seal of Cheyt Sing in the Possession of the Zemindars of Goroocpoor and Barraich; his Letters to the Begums or their Ministers; the Plan concerted for the Extirpation of the English, I must earnestly recommend it to you to obtain such Evidence as can be * required respecting each of these Points, whether such Evidence shall ascertain or refute, or qualify their Reality; and, if it be possible, to gain Possession of the original Letters and Certificates, said to have been written by Cheyt Sing as abovesaid.

“ You will be careful to ascertain the Dates and Places of Facts, and the Names and Places and Persons in the Depositions taken, that their Evidence may not be defective or ambiguous from the Want of Precision.

† Sic in Orig. “ Respecting the Murders said said † to have been committed at Goopeegunge, I have already written to you, and now send you a Duplicate of my Letter on that Subject.

“ I also send you the Form of a Caption or Introduction to each Deposition, of which you will be pleased to furnish Copies to each of the English Gentlemen, who shall have Occasion for the Use of them. The Depositions of the Native Witnesses must be written in the Language which they understood, and must be verified on Oath, and signed; or if they shall object to the Oath as contrary to their religious Tenets, they must be required to subscribe such a solemn Attestation as shall be equivalent to the Sanction of an Oath, and add your Signatures to it.

“ I am, Sir,

Your most obedient Servant,
Warren Hastings.”

Read, the following Extract of a Consultation of the 12th June 1783, from Book 82, already delivered in, beginning at Page 103 of the same.

" My dear Sir,

Lucknow, the 1st December 1781.

" The Account of the Jagheers, in the Manner you desire it in your Letter of the 21st Ultimo, is by no Means easy to make, with any Degree of Certainty, while they remain separated and distinct from the Mahls of the Sircar, as every Jagheerdar finds it too much his Interest to conceal any Excess of Collections above the Amount for which the Lands are granted to him, to suffer an exact Valuation to be taken, so long as he has the Means of preventing it; but as the Jagheers will now either be re-annexed to the Khalsa Lands, or made a separate Aumildarry, under the Direction of a Person of my own Recommendation, it will not be difficult for me to obtain the Informations you require, as their Produce, whatever it may be, will be brought into the Treasury, from whence those who are entitled to the Mediation of the Company will receive their Proportions in Ready Money. I have this Day signified to the Minister my Expectation that the Whole of the Jagheers be returned, and their Revenue, after paying to such of the Proprietors as have a Right to claim the Mediation of our Government, the Amount of their Jagheers, be applied to the Liquidation of the Nabob's Debt to the Honourable Company. I shall be very glad if his Excellency consents to make this Measure an Act of his own, as I conceive it would be more agreeable to you, and more consistent with those Appearances which it may be thought expedient to preserve with his Excellency; but if he declines it, as is by no Means improbable, I shall think myself justified by your Instructions in insisting on its being done even without his Concurrence.

" I expect to be informed of his Excellency's Determination on this Subject To-morrow, and shall lose no Time in taking my Measures accordingly, and informing you thereof.

" The Minister informs me that Meyhipnarain has not yet sent an Aumil to Khyragur, which causes great Confusion in that Pergunnah; may I therefore, my dear Sir, beg to be informed whether it is your Intention to continue the Farm under Meyhipnarain, or restore it to the Authority of the Vizier?

" I am, &c.

" (Signed) Nat. Middleton." (a)

Then the Managers for the Commons acquainted the House, that, in this stage of the Business, they meant to read the Correspondence between Mr. Middleton and Sir Elijah Impey, where Mr. Hastings is silent: That Mr. Middleton having stated, that he did not receive an official Answer from Mr. Hastings till the 26th of December 1781, they would shew, that, in the mean Time, private Communications were going on between them, through Mr. Hastings's Agent, Sir Elijah Impey.

The Counsel for the Defendant objected, that though these Letters were put in at the Bar of the House of Commons, they had not yet been authenticated, by being so put in as Evidence at the Bar of the House; and therefore they desired, that before they were read, they might be authenticated in due Form.

The Managers for the Commons desired Sir Elijah Impey might be called to the Bar, in order to authenticate the Letters.

Then SIR ELIJAH IMPEY was called in, and a Letter being shewn to him, the following Question was put:

Q. Whether that is an authentic Copy of a Letter from you, of that Date, to Mr. Middleton?

A. This is my Hand-writing; it was made from a Sketch of a Letter sent to Mr. Middleton; but I am not exactly sure that it is in every Respect authentic, because several Parts are scratched in it; but it is as authentic as I could make it from the Document.

Q. Whether there are any material Variations between that Copy and the Document itself?

A. I made it as exact as I could, and I believe there is no material Variance.

Then several Papers were shewn to the Witness, who having inspected them, proceeded as follows:

A. The Papers that are before me are Letters written by myself to Mr. Middleton, which are in my own Hand-writing, and which I believe to be authentic. There are likewise Letters from Mr. Hastings, which are in his Hand-writing, and therefore must be authentic. There are likewise Letters from Mr. Middleton to me, which are likewise in his Hand-writing. These are the Papers which, I believe, I delivered in to the House of Commons.

The Witness was directed to withdraw.

Read, the following Letter from Sir Elijah Impey to Mr. Middleton, dated Chunargur, 1st December 1781, already delivered in. (a)

" Dear Middleton,

Chunargur, 1st December 1781.

" Not knowing whether I am Time enough for the Dawke, you must excuse my not acknowledging, as I ought, the Obligations I am under to you and Mrs. Middleton, for the kind Attention I received at Lucknow, and permit [me] to proceed immediately to Business, which I shall do by running over the Memorandum which you delivered to me.

" With regard to Fayzullah Cawn, the Events which have happened since your last Instructions from the Governor, have not altered the Governor's Intentions. He must not be attacked. Mr. Hastings approves the Subsidy for a regular military Establishment, so that the Forces raised be not kept in Fayzullah's Country, but stationed at Cawnpore, Illiabad, or any other Place not higher, [which] the Governor shall appoint; to be nevertheless ready on Demand for the Protection of Fayzullah's Country.

" What we talked of concerning the Begums he highly approves, and would have himself advised; he wishes it to be done immediately: I need not mention the Necessity of taking care that the Money be applied to the Company's Use.

" I did all I could in the Business of the Nabob of Furruckabad, and of Ismael Beg: I stated the Debt due to the Vizier from Muzzafur Jung, and the certain Loss of it, if the Power of recovering it was taken out of the Vizier's Hands. I found he was extremely displeased that Almas was sent there, and is immovable in his Resolution that he shall be recalled instantly. The Vaukeel had taken his Leave of Mr. Hastings. All that I could effect, was the Governor's Promise to send for the Vaukeel, and tell him, that all that is due to the Vizier must be punctually paid. Mr. Hastings says, he will send a Person to Furruckabad, who shall see the Balance paid. I solicited this the more strenuously, because I had formerly, at the Desire of Bathurst, introduced the Vaukeel of the Nabob to the Governor.

" I am convinced, that delaying the giving the Governor Satisfaction in this Point, will only irritate him. He considers the appointing a Sussauwull a Breach of his Orders.

" Ismael Beg, he has been told, and is inclined to believe, was arrested to prevent him getting access to the Governor; he considers his own personal Dignity and Influence interested, and peremptorily requires, either that he be released immediately, or a fair Account be taken; he will, if it cannot otherwise be done, send a Person to take the Account: This operates in his Mind to the Prejudice of the Ministers, as much as if the Fact was actually true. I know how disagreeable an Interference of this Nature must be to you and the Ministers, and therefore much wish you will contrive to make that your own Act, which will otherwise most certainly become the Act of the Governor. In this his Pride and Jealousy, and Sense, personal Importan* is alarmed. In both these Points he is and will remain peremptory. He has wrote to the Board, and says, he will not undo what he has done.

" I find the Governor in the same Temper with regard to you and Johnson, which he was in when I left him; he really wishes you to remain in Office at present, and for another Year.

" If the Governor finds Acquiescence in the Two Points I have mentioned, and he hears within the Five Days which you promised, that the Vizier's Agreement is beginning to be vigorously put in Execution, and has your Assurance for the Completion, I think the Governor will not go to Lucknow; otherwise he most certainly will. He says he will see the Five Days expired before he takes his Resolution. You will remember that I, as well as yourself, am pledged for the Performance of the Agreement; perform it for my Sake, for your Sake, and the Governor's; he will then soon return to Calcutta, where he is [much wanted.]"

The Managers for the Commons acquainted the House, they should next produce a Letter dated December 2d 1781, from Mr. Middleton to Mr. Hastings, mentioning an Inclosure of a Letter from the Nabob, proposing the Seizure of the Treasure, which Inclosure, they stated, was suppressed.

Read, the following Extract of a Consultation of the 12th June 1783, from Book 82, already delivered in, beginning at Page 108 of the same.

" To the Honourable Warren Hastings.

" My dear Sir,

Lucknow, the 2d Decr 1781,

" I had Yesterday the Honour of informing you of the Message I sent to the Nabob through the Minister, respecting the Jagheers, to which his Excellency this Morning returned me a Reply, purporting, that if the Measure proposed was intended to procure the Payment of his Balance due to the Company, he could better and more expeditiously effect that Object, by taking from his Mother what she is very able to spare, and what he has an undoubted Right, as he conceives, to exact from her. The present Debt to the Company, as he with Truth observes, is a great

Part handed down from his Father; and the Funds from which he might have been enabled to liquidate it, it is notorious, were withheld from him by the Begum, on the late Nabob's Death. That according to the Laws of the Koran, and the invariable Custom of the Country, he is justly entitled to the whole Estate and Treasures of his Father, and could legally demand their being put in his Possession; but that the Sum he desires to take from his Mother (about Sixty Lacks) bears no Sort of Proportion to the immense Wealth which fell into her Hands on the Death of his Father, nor would it bear at all hard upon her, as he knows how much her Treasures exceed that Sum. All therefore that he asks, is not to be interrupted in recovering a Part of his hereditary Right, by which he will be enabled to discharge immediately the Whole of his Debt to the Company.

" This, my dear Sir, is a flattering Proposition; and as to the Point of Right, admitting it to be less clear and defined than the Nabob chuses to consider it, you may possibly be of Opinion that the Conduct of the Begums, on the late Disturbances at Benares, as set forth in the several Testimonies laid before you, has forfeited any Claim they might originally have had to the Protection and Mediation of the Company; and further, that it may not be political, or yet perfectly safe, to trust them any longer with such powerful Means of promoting an Opposition to our Interests.

" For my own Part, I am so well persuaded of the Disaffection of the Begums, particularly the present Nabob's Mother, to our Cause, and of their Promptitude to unite in any Measure to distress us, that I could very easily reconcile it to my Conscience to assist the Nabob, instead of obstructing him, in wresting from them every Benefit they enjoy beyond a decent Maintenance; however, this is only my own Opinion, and by no Means meant to influence yours. The Nabob writes you himself on this Subject, and you have his Letter inclosed. Neither he nor I expect that you should give a formal Sanction to the Measure proposed: It will be sufficient that you but hint your Opinion upon it, and enable me to inform his Excellency whether you would or would not oppose his Design. Let me therefore entreat you, my dear Sir, to favour me with a Line by the Return of the Dak; and if your Sentiments should happen to accord with my own, I doubt not but I should be able to congratulate you, in a very short Space of Time, upon the Remittance of a handsome Sum to the Presidency.

I am, &c.

(Signed)

Nath. Middleton.

" P. S. Whatever may be your Resolution upon the Subject of this Letter, it will be expedient to keep it secret. The Resumption of the Jagheers it is necessary to suspend, until I have your Sentiments on this Letter." (a)

Read, also, the following Extract, from the same Book and same Consultation, beginning at Page 119 of the same :

" The Honourable Warren Hastings.

" Lucknow, the 6th December 1781.

" Finding the Nabob wavering in his Determination about the Resumption of the Jagheers, I this Day, in Presence of, and with the Minister's Concurrence, ordered the necessary Perwannahs to be written to the several Aumils for that Purpose, and it was my firm Resolution to have dispatched them this Evening, with proper People to see them punctually and implicitly carried into Execution; but before they were all transcribed, I received a Message from the Nabob, who had been informed by the Minister of the Resolution I had taken, intreating that I would withhold the Perwannahs until To-morrow Morning, when he would attend me, and afford me Satisfaction on this Point. As the Loss of a few Hours in the Dispatch of the Perwannahs appeared of little Moment, and as it is possible the Nabob, seeing that the Business will at all Events be done, may make it an Act of his own, I have consented to indulge him in his Request; but, be the Result of our Interview whatever it may, nothing shall prevent the Orders being issued To-morrow, either by him or myself, with the Concurrence of the Ministers. Your Pleasure respecting the Begums I have learnt from Sir Elijah; and the Measure heretofore proposed, will soon follow the Resumption of the Jagheers. From both, or indeed from the former alone, I have no Doubt of the complete Liquidation of the Company's Balance.

I am, &c.

" Nath. Middleton." (b)

Read, also, a further Extract from the same Book, and same Consultation, beginning at Page 121 of the same.

" To the Honourable Warren Hastings.

" My dear Sir,

Lucknow, the 7th December 1781.

" I had the Honour to address you Yesterday, informing you of the Steps I had taken in regard to the Resumption of the Jagheers. This Morning the Vizier came to me according to his

(a) Vide supra, P. 720, and Appendix, N^o XXXVIII.

(b) Vide Appendix, ibid.

Agreement, but seemingly without any Intention or Desire to yield me Satisfaction on the Subject under Discussion; for after a great deal of Conversation, consisting on his Part of trifling Evasion and puerile Excuses for withholding his Assent to the Measure, though at the same Time professing the most implicit Submission to your Wishes, I found myself without any other Resource than the one of employing that exclusive Authority with which I consider your Instructions to vest me: I therefore declared to the Nabob, in Presence of the Minister and Mr. Johnson, who I desired might bear Witness of the Conversation, that I construed his Rejection of the Measure proposed as a Breach of his solemn Promise to you, and an Unwillingness to yield that Assistance which was evidently in his Power, towards liquidating his heavy accumulated Debt to the Company, and that I must in consequence determine, in my own Justification, to issue immediately the Perwannahs, which had only been withheld in the sanguine Hope that he would be prevailed upon to make that his own Act, which nothing but the most urgent Necessity could force me to make mine. He left me without any Reply, but afterwards sent for his Minister, and authorized him to give me Hopes that my Requisition would be complied with; on which I expressed my Satisfaction, but declared that I could admit of no further Delays, and unless I received his Excellency's formal Acquiescence before the Evening, I should then most assuredly issue my Perwannahs, which I have accordingly done, not having had any Assurances from his Excellency that could justify a further Suspension. I shall, as soon as possible, inform you of the Effect of the Perwannahs, which, in many Parts, I am apprehensive it will be found necessary to enforce with Military Aid; I am not, however, entirely without Hopes that the Nabob, when he sees the Inefficacy of further Opposition, may alter his Conduct, and prevent the Confusion and disagreeable Consequences which would be too likely to result from the Prosecution of a Measure of such Importance, without his Concurrence. His Excellency talks of going to Fyzabad, for the Purpose heretofore mentioned, in Three or Four Days; I wish he may be serious in this Intention, and you may rest assured I shall spare no Pains to keep him to it.

" I am, &c.

(Signed) Nath. Middleton." (a)

Read also, further Extract from the same Book, and same Consultation, beginning at Page 125 of the same.

" The Honourable W. Hastings.

" My dear Sir,

Lucknow, the 9th December 1781.

" I had the Honour to address you on the 7th instant, informing you of the Conversation which had passed between the Nabob and me on the Subject of resuming the Jagheers, and the Step I had taken in consequence.—His Excellency appeared to be very much hurt and incensed at the Measure, and loudly complains of the Treachery of his Ministers; First, in giving you any Hopes that such a Measure would be adopted; and, Secondly, in their promising me their whole Support in carrying it through: But, as I apprehend, rather than suffer it to appear that the Point had been carried in Opposition to his Will, he at length yielded a nominal Acquiescence, and has this Day issued his own Perwannahs to that Effect; declaring however, at the same Time, both to me and his Ministers, that it is an Act of Compulsion.—I hope to be able, in a few Days, in consequence of this Measure, to transmit you an Account of the actual Value and Produce of the Jagheers, opposed to the nominal Amount at which they stand rated on the Books of the Sircar.

" I have the Pleasure to inform you, the Nabob still adheres to his Resolution of proceeding immediately to Fyzabad, for the Purposes already mentioned to you, and will, I believe, depart in Three Days from this Date. I entertain the most flattering and sanguine Expectations from his Journey; and we shall not be kept long in Suspense concerning the Result, as he is convinced of the Danger and Impropriety of Delay.

" Sir Elijah Impey has signified to me your final Commands respecting the Nabob of Furruckabad, and Ishmael Beg; in both which Instances rest assured they shall be implicitly obeyed. I wait only the Arrival of Suftulla Cawn, whom Sir Elijah informed me you had dispatched to me, to withdraw every Shadow of Interference in the Government of Furruckabad. Ishmael Beg's Accounts with the Nabob shall be investigated in the Manner you direct, and full Information transmitted you, the Moment I can spare Time from the Two important Objects to which you have directed my first Attention.

" Under this Date I have dispatched to you, at the Nabob's Desire, Two Elephants, with an Ambarry and Howdah, Four Horses, a Palenquin, a Maulah Seerpeach, and Caulgah, appertaining to the Dress, &c. you did him the Honour to accept at Chunar.

" I am, &c.

(Signed) Nath. Middleton." (b)

(a) Vide Appendix, N^o XXXVIII.

(b) Vide Appendix, *ibid*.

Then the following Letter from Mr. Middleton to Sir Elijah Impey, dated the 5th December 1781, was delivered in, and an Extract from the same was read as follows :

" My dear Sir Elijah,

Lucknow, the 5th December 1781.

" I was only this Morning favoured with your very friendly and interesting Letter of the 1st instant ; and I am only able at present, in Reply, to touch slightly on the most important Points of it. In the first Place, my dear Sir, I must beg your Acceptance of my most unfeigned Acknowledgments for the obliging and attentive Regard you have shewn to all my Requisitions and Wishes, which are not the less due to you, because your Endeavours have not been productive of all the Success I hoped for from them. It would be impertinent, and, perhaps, not altogether decent, for me to urge any Thing further on the Subject of Muzuffer Jung and Imael Beg. The Governor's Expectations in regard to both must and shall be answered ; and my only Desire now is, that he will permit the Nabob and his Ministers to make it appear a Measure of their own, and not forced upon them by his immediate Authority."

Read, also, a further Extract from the same Letter, as follows :

✂ [" The Measure respecting the Begums, and the Resumption of the Jagheers, will be instantly adopted. The latter has only been suspended for the Governor's Sentiments on the former, as the Jagheers of the Begums and their Dependents are the most considerable ; and to have attacked them, without being prepared, at the same Time, to enter immediately on the Execution of the grand Design, would have been doing Things by Halves, and possibly have defeated our Expectations. Do not, my dear Sir Elijah, suffer this Delay to be urged or considered as an Imputation of Blame upon me. I entered on the Business the very Day after you left me, and went so far as to look upon the Matter as finally agreed upon, the actual Execution only suspended until I could receive either yours or the Governor's Sentiments upon the further Proposal, which is certainly of far greater Consequence than the Resumption of the Jagheers, as it will do at one Stroke, if we are not all grossly mistaken, what the Jagheers will be at least Two Years in doing. To-morrow Morning, I am to be informed of his Excellency's intended Mode of Attack, and shall not fail to acquaint the Governor. In the mean Time you may be assured, that whatever may be acquired by the Measure shall be faithfully and wholly applied to the Liquidation of the Company's Debt."]

§ (" With respect to Cator, I will write when I have spoken to him : At present I have not Time even to read what I have written. I shall be happy if you find it intelligible ; and I am sure you will have the Goodness to excuse its Imperfections.")

✂ [" Mrs. Middleton joins me in kindest Remembrances to Lady Impey ; and I am, with sincere Regard,

" My dear Sir Elijah,

" Sir Elijah Impey.

Your ever faithful, obliged,
And most affectionate Friend,

Nath. Middleton."]

Then a Letter from Sir Elijah Impey to Mr. Middleton, dated Buxar, 9th December 1781, was delivered in, and an Extract from the same was read as follows :

" With regard to the Jagheers and Begums, I have no Doubt what you say will be satisfactory. Indeed I think the whole so. I left the Governor, who came as far as Benares with me, on Thursday last ; he had, on what I assured him, resolved not to go to Lucknow, but proceed, as I much wished him to do, to the Presidency. He said, he would write to you to that Effect ; if he has not, you will take no Notice of this Information." (a)

" Buxar, 9th December 1781.

Read, from Book 83, already delivered in, the following Extract of a Consultation of the 14th January 1782, beginning at Page 180 of the same Book.

" Fort William, 14th January 1782.

" At a Council ; Present,

Edward Wheler, and } Esquires.
John Macpherson, }

The Governor General absent on a Visit to the Northern Provinces.

Lieutenant General Sir Eyre Coote absent on Service at Fort Saint George.

" Sir,

" The Nabob Vizier having appointed an Amil to take Charge of the Begum's Jagheers, she had, it appears, prepared a large Body of Troops, with a supposed Design to resist him. A violent and threatening Letter, which I have just received from the Begum, would seem to leave no Doubt of her Intentions to support the already declared Licentiousness of her Servants, in opposing

Enclosed in
the Governor
General's
Letter of the
5th Decem-
ber.

the Nabob's Orders : I have therefore been obliged to join my Solicitations to the Vizier's, for obtaining a Regiment from Colonel Morgan, to support the Amil in the Execution of his Excellency's Commands ; and I may add, that, unless my Judgement far misleads me, we shall be in want of still further Aid, before the Measure of resuming the Jagheers shall be fully established, and the Country restored to that State of Tranquillity and Subordination which it enjoyed before the Contagion spread by Chite Sing's Machinations.

" I enclose Copy of my Letter to Colonel Morgan ; and have the Honour to be, &c.

(Signed)

" Nathaniel Middleton,
Resident at the Court of the Vizier."

" Lucknow, 19 December 1781.

" A true Copy.

(Signed)

" E. Hay, Sub Secretary to the Honourable Board."

Enclosed in
the Governor
General's Letter,
25th December.

" Sir,

" In Consequence of the Representation which you have made me, of the Preparation made by the Begum to resist the Order of the Vizier, for the Resumption of the Jagheer ; and of the Probability that further Opposition from the other Jagheerdars, and Disturbances from disaffected Persons, may be expected ; I have directed Colonel Morgan to detach Sir John Cumming to Lucknow, with Four Regiments of Sepoys, and a proper Field Train, in order to support the Authority of the Vizier, and maintain the Tranquillity of his Country, by such Means as his Excellency shall be pleased to direct.

" As the Force to be thus employed, for the domestick Tranquillity of the Vizier's Dominions, is an Addition to the Brigade or Subsidy, and which is ordered to be in Readiness for marching at the shortest Notice, to defend any Part of his Excellency's Territories, which a foreign Enemy might be tempted to invade during civil Commotions, the Vizier will, I make no Doubt, cheerfully consent to pay the Expences of the Detachment, by a fixed monthly Subsidy, during the Service ; and which shall be determined and transmitted to you, as soon as I can ascertain the probable Disbursements of it.

" I am, &c.

(Signed)

" Warren Hastings.

" Benares, 24th December, 1781.

A true Copy.

(Signed)

" E. Hay, Sub Secretary to the Honourable Board." (a)

Read, also, the following Extract from the same Book, and same Consultation, beginning at Page 179 of the same.

" Received the following Letters from the Governor General, dated 25th December 1781.

From the Governor General.

" Gentlemen,

" I have the Honour to transmit to you, Copies of a Letter from Mr. Middleton, of my Answer thereto, and of my Instructions to Colonel Morgan, in consequence.

" An early and proper Exertion of our military Force will effectually support the Authority of the Vizier, and in all Probability prevent any dangerous Combination amongst the Jageerdars ; which their Wealth and numerous Dependants might otherwise enable them to form for resisting the Resumption of their Jagheers.

" In exceeding the Number of Troops expressly demanded on this Occasion by the Vizier, I have consulted only his Security and Advantage ; and I am convinced, from my own Information of the State of his Country, as well as from Mr. Middleton's Representations, that it is but anticipating a further Requisition, which, if deferred until the refractory and disaffected Persons shall become formidable, will be attended with great Hazard and proportionate Expence to the Vizier.

" The Nabob having experienced from me so ready an Attention to relieve him from the constant Expence of the temporary Brigade, cannot think it unreasonable that the Subsidy for the occasional Force, now to be employed for his internal Security, should be liberal and adapted to the Circumstances under which we furnish it, as well as including its actual Disbursements.—It is on this Principle that I shall estimate it, after having ascertained as precisely as possible the fixed and contingent Expences.

" Upon these Grounds I hope that I shall meet with the Approbation of the Board, in the Steps which I have taken.

" The Detachment under Major Popham being sickly, and the Services for which it is formed completely executed, I have ordered it to be dissolved, and the Troops composing it to be put under the Command of Colonel Blair, for the Protection of this Country, until the final Arrangement for this Duty shall be settled by the Board.

" Benares,
25th December 1781.

I have the Honour to be, &c.

(Signed)

Warren Hastings." (b)

(a) Vide Appendix, N° LIII.

(b) Vide Appendix, ibid.

The Managers for the Commons acquainted the House, they would next read a Letter from Mr. Hastings to Mr. Middleton, dated the 26th of December 1781, which was the first official Authority, supposed to have been received, for the Seizure of the Jagheers.

Read, the following Extract of a Consultation of the 12th June 1783, from Book 82, already delivered in, beginning at Page 131 of the same.

“ To Mr. Middleton.

“ Sir,

Benares, 26th December 1781.

“ My Mind has been for some Days suspended between Two opposite Impulses; one arising from the Necessity of my Return to Calcutta; the other from the Apprehension of my Presence being more necessary and more urgently wanted at Lucknow. Your Answer to this shall decide my Choice.

“ I have waited thus long in the Hopes of hearing that some Progress had been made in the Execution of the Plan which I concluded with the Nabob in September last. I do not find that any Step towards it has been yet taken, though Three Months are elapsed, and little more than that Period did appear to me requisite to have accomplished the most essential Parts of it, and to have brought the whole into Train. This Tardiness, and the Opposition prepared to the only decided Act yet undertaken, have a bad Appearance. I approve the Nabob's Resolutions to deprive the Begums of their ill-employed Treasures. In both Services it must be your Care to prevent an Abuse of the Powers given to those that are employed in them. You yourself ought to be personally present. You must not allow any Negotiations or Forbearance, but must prosecute both Services until the Begums are at the entire Mercy of the Nabob, their Jagheers in the quiet Possession of his Aumils, and their Wealth in such Charge as may secure it against private Embezzlement. You will have a Force more than sufficient to effect both these Purposes.

The Reformation of his Army, and the new Settlement of his Revenues, are also Points of immediate Concern, and ought to be immediately concluded. Has any Thing been done in either?

I now demand and require you most solemnly to answer me. Are you confident in your own Ability to accomplish all these Purposes, and the other Points of my Instructions? If you reply that you are, I will depart with a quiet and assured Mind to the Presidency, but leave you a dreadful Responsibility if you disappoint me. If you tell me that you cannot rely upon your * Power, and the other Means which you possess, for performing these Services, I will free you from the Charge; I will proceed myself to Lucknow, and I will myself undertake them; and in that Case I desire that you will immediately order Bearers to be stationed, for myself and Two other Gentlemen, between Lucknow and Illahabad, and I will set out from hence in Three Days after the Receipt of your Letter.

“ * A Blank is left here in the Original.”

“ I am sorry that I am under the Necessity of writing in this pressing Manner; I trust implicitly to your Integrity; I am certain of your Attachment to myself, and I know that your Capacity is equal to any Service; but I must express my Doubts of your Firmness and Activity, and above all, of your Recollection of my Instructions, and of their Importance. My Conduct in the late Arrangements will be arraigned with all the Rancor of disappointed Rapacity, and my Reputation and Influence will suffer a mortal Wound from the Failure of them. They have already failed in a Degree, since no Part of them has yet taken place, but the Removal of our Forces from the Douab and Rohilkund, and of the British Officers and Pensioners from the Service of the Nabob; and the Expences of the former thrown, without any Compensation, on the Company.

“ I expect a Supply of Money equal to the Discharge of all the Nabob's Arrears, and am much disappointed and mortified that I am not now able to return with it.

“ Give me an immediate Answer to the Question which I have herein proposed, that I may lose no more Time in fruitless Inaction.

I am, &c.

(Signed)

Warren Hastings.” (a)

The Managers for the Commons stated, that the Two next Letters, dated the 27th and 28th of December 1781, were Mr. Middleton's public and private Answer to Mr. Hastings Letter of the 24th of the same Month.

Read, the following Extract from the same Book, and same Consultation, beginning at Page 149 of the same:

“ To the Honourable Warren Hastings, Governor General, &c. &c.

“ Sir,

“ The very great Inconvenience, Loss, and Indignities to which the Vizier has long been subject, from the Authority and Dominion assumed and exercised by the Jagheerdars with the Sup-

(a) Vide Appendix, N^o XXXVIII.

port of armed Force, and the Impossibility of striking out any Medium by which these Evils could effectually be remedied, have induced his Excellency to resume all the Jagheer and Marofee Lands throughout his Country, promising to such Persons as have just or equitable Claims to his Bounty, or those guaranteed by the Company, for the Amount of their Jagheers, Allowances in Ready Money, equal to the Net Sum they shall appear to have annually realized from their Jagheers.

" This Measure, the Utility, and I may say the absolute Necessity, whereof will not be disputed by any one who has had an Opportunity of observing the Conduct of the Jagheerdars in general, and particularly some whose Incomes enabled them to maintain Armies, not only superior to those of the Aumils of the Country, who should properly be a Check upon them, but even sufficient to resist the Force of the State itself, has met with violent Opposition from the Bhow Begum, who falls particularly under the last Description, and whose Power is rendered the more pernicious and dangerous: First, From its being wholly delegated to her Servants, who have their own Views of Ambition and Interests to answer; and in the next Place from the Reluctance with which the Ministers, and even the Nabob himself, interfere with any Concerns of the Begum.

" From these Two Circumstances, strengthened by the immense Wealth in her Possession, also intrusted to her Two Chief Eunuchs, Bahar and Jowar Ally Cawn, and her unreasonable Expectations of Support from the English Government, of all which she and her Servants avail themselves to the utmost, she is become One of the most serious internal Evils, that, among others, seems to bid fair to give great Disturbance to this Country.

" The great Awe in which the Nabob, and of course every one under him, stands of her Displeasure, leaves without Bounds or Restraint the Effects of her uncommonly violent Temper. Death and Destruction is the least * me Menace she denounces, upon the most trifling Opposition to her Caprice.

" By her own Conduct, and that of all her Agents and Dependants during the Benares Troubles, she may with Truth and Justice be affirmed, she forfeited every Claim she had to the Protection of the English Government, as she evidently, and it is confidently said avowedly, espoused the Cause of Ragh Cheyt Sing, and united in the Idea and Plan of a general Extirpation of their Race and Power in Hindostan.

" Her Agent at Taunda, who is the Cheyla and adopted Son of Bahr Ally Cawn, her principal Minister, treacherously turned his Guns upon Lieut. Gordon's Detachment, and was by that Gentleman's Account the sole Cause of the Loss of it. She gave every Encouragement in her Power to the Adherents of Cheyt Sing by her Agents; assisted them in raising Troops in the Town of Fyzabad; promised, and as is generally believed, actually advanced Money to the rebellious Rajahs of the Vizier's Country; raised Troops to support them, and issued Perwannahs for their Operations against the Forts garrisoned by the Nabob's Troops under the Command of British Officers; all which is fully stated in the Depositions made by Colonel Hannay and the Gentlemen of his Corps. Notwithstanding all these Facts, upon the general Resumption of the Jagheers I made the Rents of her Lands payable to me; under an Engagement of making the Amount good to her by such Installments as she might direct, in Return for which I have received Letters from her, containing the most gross Abuse and the wildest Threats that can be transcribed, Copies of which I have the Honour to enclose.

" Her chief Agent, Bahar Ally Cawn, has marched a considerable Force into Nabob Gunge, One of her Jagheers, declaring that if any Attempt is made to resume it, he will lay the whole Country of Goonda waste. These declared and repeated Acts of Rebellion are surely more than sufficient to forfeit all Claim whatever to the Interference in her Behalf from our Government; and if some Stop is not immediately put to it, it appears but too certain that she will light a Flame throughout these Provinces, which, if not difficult to extinguish, will at least put a heavy Bar to the Company's Collections here. I cannot therefore avoid making these Representations to you, or doubt but you will approve of the Vizier's immediately taking those Steps which may be necessary for effectually establishing his Government and Authority, and depriving the Begum of those great Resources which, she has shewn, it would be extremely impolitic and unsafe to trust longer in her Hands. On this Subject the Nabob has communicated to me his Sentiments in a long Letter, Copy whereof I have the Honour to enclose you, in which you will observe he signifies his Intention of prosecuting his legal Claims upon her, for the Public Treasure and Effects belonging to his Inheritance from his Father, which she detains from him, and squanders in such destructive Purposes, while he is overwhelmed by Public Debts, principally incurred by his Predecessor, and on account of his Inability to discharge which, the Company have indispensably been driven to take upon themselves the Burthen of a large Military Establishment, hitherto entertained for their Service at the Charge of the Nabob.

" On this Head I think it unnecessary to offer any Remark, since a Reference to the established Laws and Customs of the Country will sufficiently prove his Excellency's inherent Right to claim the Property of his Predecessor.

" I must also take the Liberty to add my Opinion, that unless Fyzullah Cawn, remotely situated as he is out of reach of Interruption, in the Centre of his own Tribe and Country, connected uninterruptedly with the other Two remaining Patan Powers, becomes included in this general Reform of the Jagheer, or some effectual Check imposed upon him, the Whole may prove abortive,

while, if fully enforced, may save this Country, and with it possibly much of our own Blood and Treasure.

" Lucknow,
the 27th Dec' 1781.

" I have the Honour to be, &c. &c.

(Signed)

" Nathaniel Middleton,
Resident at the Vizier's Court." (a)

Read, the following Extract from same Book, and same Consultation, beginning at Page 173 of the same.

" My dear Sir,

" Lucknow, the 28th December 1781.

" I am this Day honoured with your publick Letter of the 24th instant; and I do not lose a Moment in informing you, that without a total Seizure of the Country, it is not possible to collect this Year a larger Sum than the Nabob has already granted, which altogether exceeds that of any other Year, at a Time when his Collections have been greatly diminished by the Misconduct of Raja Bowanny Sing, late Aumil of Bycewarrah, the Insurrections across the Gogra, and in other Parts of his Country, and lastly the heavy Remissions he has been obliged to allow on the present Year's Rents, for the Losses by Drought and Hail, which fell upon the Close of the last Harvest. Hence, my dear Sir, you will be able to judge how far it would be in his Power to grant further Jaidads.

" If your new Demand is to be insisted upon, which your Letter seems to portend, I must beg your precise Orders upon it; as, from the Difficulties I have within these few Days experienced, in carrying the Points you had enjoined with the Nabob, I have the best Grounds for believing that he would consider it a direct Breach of the late Agreement, and totally reject the Proposal as such; and I must own to you, that, in his present fermented State of Mind, I could expect nothing less than Despair, and a declared Rupture.

" He has by no Means been yet able to furnish me with Means of paying off the Arrears due to the temporary Brigade, to the stipulated Term of its Continuance in his Service. The Funds necessary for paying off and discharging his own Military Establishment under British Officers, and his Pension List, have been raised on the private Credit of Mr. Johnson and myself, from the Shroffs of this Place, to whom we are at this Moment pledged for many Lacks of Ruprees; and without such Aid, which I freely and at all Hazards yielded, because I conceived it was your anxious Desire to relieve the Nabob, as soon as possible, of this heavy Burden, the Establishment must have been at his Charge to this Time, and probably for Months to come, while his Resources were strained to the utmost to furnish Jaidads for its Maintenance to this Period. I therefore hesitate not to declare it utterly impossible for him, under any Circumstances whatever, to provide Funds for the Payment of the Troops you now propose to send him.

" The wresting Furruckabad, Kyrague, and Fyzula Cawn's Country from his Government (for in that Light, my dear Sir, I can faithfully assure you he views the Measures adopted in respect to those Countries), together with the Resumption of all the Jagheers, so much against his Inclination, have already brought the Nabob to a Persuasion that nothing less than his Destruction, or the Annihilation of every Shadow of his Power, is meant; and all my Labours to convince him to the contrary have proved abortive. A settled Melancholy has seized him, and his Health reduced beyond Conception; and I do most solemnly believe, that the March of Four Regiments of Sepoys towards Lucknow, under whatever Circumstances it might be represented, would be considered by him as a Force ultimately to be used in securing his Person. In short, my dear Sir, it is a Matter of such immediate Moment, and involving apparently such very serious and important Consequences, that I have not only taken upon me to suspend the Communication of it to the Nabob, until I should be honoured with your further Commands, but have also ventured to write the inclosed Letter to Colonel Morgan—Liberties which I confidently trust you will excuse, when you consider that I can be actuated by no other Motive than a Zeal for the publick Service; and that if, after all, you determine that the Measure shall be insisted on, it will be only the Loss of Six, or at most Eight Days, in proposing it. But, in the last Event, I earnestly entreat your Orders may be explicit and positive, that I may clearly know what Lengths you would wish me to proceed, in carrying them into Execution. I again declare it as my firm Belief, and assure yourself, my dear Mr. Hastings, I am not influenced in this Declaration by any Considerations but my publick Duty, and my personal Attachment to you, that the enforcing the Measure you have proposed would be productive of an open Rupture between us and the Nabob; nay, that the first necessary Step towards carrying it into Effect, must be on our Part a Declaration of Hostility.

" There can, I apprehend, be no Doubt but such an Extremity would end in the Ruin of the Nabob, and I think he would have Sense enough to see it; but, under the Circumstances I have mentioned, and encouraged as he would be by all the Malecontents of his Court, I am persuaded, as far as my own Reason and Judgment enable me to predict, that he would disregard all future Consequences.

(a) Vide Appendix, N° XXXVIII.

" I entreat you will excuse the Freedom with which I have addressed you on this Subject. I have been obliged to write in great Haste, to save the Dawk, and consequently not so connectedly or fully as I could wish; but be assured I have given you the genuine Sentiments of my Heart; and as such I am persuaded you will receive them with Indulgence.

" I am, &c. &c.

(Signed) Nath. Middleton."

" To Colonel James Morgan, commanding in the Field.

" Sir,

(Copy.)

" I was last Night honoured with your Letter, informing me that you had Orders from the Governor General to furnish me with more Troops, should I want them.

" I have this Day received Information from the Governor, that he has ordered a large Force to repair to Lucknow. If you have received such an Order, I must beg you will suspend the Order until I have received the Governor's Reply to the Representation I have made to him upon this Subject, as such a Movement at this Juncture might be productive of the most serious Consequences. While I make this Application to you, I do not know how far it is in your Power to comply; yet I deem it my Duty to make the Representation, whatever the Result may be.

" Lucknow,
28th December 1781.

I have the Honour to be, &c. &c.

(Signed) Nath. Middleton." (a)

Read, also, a further Extract from the same Book, and same Consultation, beginning at Page 182 of the same.

" December 28, 1781, Lucknow.

" Your Letter of the 24th is just arrived, ordering the temporary Brigade to be again put on the Vizier's List, which the late Treaty had just eased him of. Nothing less than Blows can effect this, for he is not even able to pay off the Arrears still due to it for the last Year, which, with the 2½ Months stipulated by the Treaty, amount to Nine Lacks, by Mr. Day's Statement. Upwards of Twelve Lacks have been paid to Mr. Wombwell, besides Remittances made to the Second Brigade and Colonel Muir, and scarce Six Lacks have yet been collected: A hard Strain of private Credit alone has made these large extra Payments,—and total Ruin must inevitably be the Consequence of any Interruption in the Recovery of the Money advanced. However, this is merely a private Consideration, and therefore cannot weigh in public Measures; but in a public Light, the Troops being all in Arrears, and no Possibility of present Payment, so large a Body assembled here, without any Means in Hand to check or controul them, nothing but Disorder could follow. As one Proof that the Nabob is as badly off for Funds as we are, I may inform you that his Cavalry rose this Day upon him, and went all armed to the Palace, to demand from 13 to 18 Months Arrears due to them, and * with great Difficulty persuaded to retire, which was probably more effected by a Body of Troops getting under Arms to go against them, than any other Consideration. Without troubling you with Detail of Arguments, I may venture to pledge myself to you, that the additional Demand you propose making, cannot this Year be obtained without a total Reform of his Government, which, if brought about by a Campaign against him (by which alone it can be done), would, at the same Time, stop at once all Resources of Collections; so that, admitting Success, our Situation, in point of Finance, would be worse than before. As I feel confident of your full Credit to this Assertion, I shall add nothing further upon the Subject, excepting, that the Troops hitherto called for by the Vizier have been solicited, under that Article of the late Treaty which authorizes him to remove the Subsidiary Brigade where he pleases, with the Concurrence of the Resident; which Power is still more fully explained in the Letter of Instructions:—Both Papers can only allude to the Troops which they stipulate to remain within the Vizier's Dominions. Whenever you no longer may chuse to permit his detaching the Brigade, he must then of course conduct his Measures by his own Sebundy, or be driven to make new Proposals from himself for the Aid and Pay of our Regiments.

* Sic in Orig.

" As I have made use of the Name of the temporary Brigade in the First Part of my Letter, it may be necessary to remind you that One additional Regiment is already paid by the Nabob, to which add 4 Regiments, and a Train of Artillery, now proposed, makes Ten Battalions of 500 Men each, which is equal to Seven Battalions of 780 Men, which formed the temporary Brigade, as stipulated to be paid by the Nabob.

" I sincerely hope, though I scarcely expect, to avoid displeasing you by the Freedom of this Representation. But, as it is impossible that you should possess Facts without their being plainly stated, and as you cannot act upon any other Grounds, while aiming, as I know you do, to do that which is best, I must run the Risk, or serve you unfaithfully, which would contradict what I shall ever endeavour to prove, that I am, upon all Occasions, your truly devoted, &c. &c.

" To the Honourable Warren Hastings,
Governor General, &c. &c.

R. Johnson." (b)

" Benaras,

(a) Vide Appendix, N° XXXVIII.

(b) Vide Appendix, ibid.

Read, also, further Extract from the same Book, and same Consultation, beginning at Page 188 of the same.

“ To the Honourable Warren Hastings, Governor General, &c. &c.

“ Sir,

“ The solemn Call you made upon me, in your Commands of the 26th instant, with which I was honoured Yesterday, demands from me the most unreserved and decided Reply; and that I might not advance any Thing hastily, I took all Yesterday to deliberate upon my Reply: For the Sake of Perspicuity, I have thought it best to recapitulate the several Paragraphs of your Letter, and arrange my Answers to them respectively in the same Order.

“ 1st. My Mind has been for some Days suspended between Two opposite Impulses; One arising from the Necessity of my Return to Calcutta, the other from the Apprehension of my Presence being more immediately and more urgently wanted at Lucknow; your Answer to this shall decide my Choice.

“ 2d. I have waited thus long, in Hopes of hearing that some Progress has been made in the Execution of the Plan which I concluded with the Nabob in September last; I do not find that any Step towards it has yet been taken, though Three Months are elapsed, and little more than that Period did appear to me requisite to have accomplished the most essential Parts of it, and to have brought the Whole into Train. This Tardiness, and the Opposition prepared to the only decided Act yet undertaken, have a bad Appearance.

“ To this Paragraph I freely answer, That your Presence is in no Shape necessary here, but, on the contrary, could not fail of being of considerable Retardment to the Collections; because in these Countries the Motions of Governors are looked upon to imply great intended Exertions, and with them great Changes; consequently all Agents in publick Stations, from the highest to the meanest, put an immediate Stop to all their Avocations, and gaze motionless for the Result. This is the Height of the Khareeff Collection, and any Impediments now thrown in the Way loses * the Produce of the Crop. The enclosed Statement shews what I have received, and what I have disbursed; it will at First Sight evince the Importance of realizing every immediate Resource. The current Disbursements of the 2d Brigade have not been made good, and the Arrears due from the Nabob to the late temporary Brigade and Cavalry, agreeable to Stipulation, have not yet been liquidated.

* See in Orig.

“ In Reply to the Second Paragraph, I beg leave to refer you to my former Letters, stating the turbulent State of the Country. Three Months is a Period in which the Changes you allude to probably might have been effected in Times of perfect Tranquillity; but when all the Districts across the Gogra were in Arms, and all the Jagheerdars (a very numerous and powerful Body) were very little short of the same State in every District, and for the regulating and Reduction of whom the Aumils were principally to be applied to—could a general Change or Attack upon those Aumils with Ease have been undertaken? I think not; but I put this Argument of the Practicability or Impracticability out of the Question, as it was not that Consideration which prevented me from enforcing the Measures recommended by you to the Nabob in the Treaty;—the Fact is this: I did not understand, at the Period of executing the Agreement between you and the Vizier, that your Intention was, that the Whole of the Reform proposed was in its fullest Extent to take place this Year, nor indeed at all, if the Company's Debt became liquidated; I conceived your Interference in the Nabob's Government tended solely to establish the Means of the most speedy Payment possible of the Company's Debt; and that whenever this should be accomplished, every Shadow of Interference was to be desisted from, which I stated to the Nabob and the Ministers, and I believe upon the Faith of that Assurance principally was his Excellency's Acquiescence obtained. For the Prosecution of these Measures, I looked to the occasional Assistance of the Regiments of the subsidiary Brigade, as permitted in the Treaty, and your subsequent Instructions, and intended employing the Aumils and their Sebundy in the First Instance for the Reduction of the Jagheerdars, that I might not have the whole Country to attack at once. This

Mode

Mode of proceeding threatened no Interruption to the Collections, but an immediate Increase of Means in hand to defray the Charges of the Troops, without which previous Point even our own Army must be useless. The Measure of resuming the Jagheers involved many and some very powerful Interests, subject to such Odium, from the Disappointment of the Parties, deprived of their Means of Subsistence, and in such extensive Dominions, under a Government so irregular in its Constitution, and so shaken as this is, it could not be effectually accomplished in a Day. —However, it is now effected nearly throughout with the Nabob's Sanction (which at the Point of Execution there was the most alarming Difficulty to obtain), and in a very few Days, I trust, it will be completely enforced; and, bad as the Appearance of Opposition may be, I trust to be able to execute the whole Reform, without Delay, upon the Grounds I shall state in my Answer to your Paragraphs successively.

“ 3d. I approve the Nabob's Resolution to deprive the Begums of their ill-employed Treasures. In both Services it must be your Care to prevent an Abuse of the Powers given to those that are employed in them. You yourself ought to be personally present — You must not allow ~~any~~ Negotiation or Forbearance, but must prosecute both Services until the Begums are at the entire Mercy of the Nabob, their Jagheers in the quiet Possession of his Aumils, and their Wealth in such Charge as may secure it against private Embezzlement. — You will have a Force more than sufficient to effect both these Purposes.

“ 4th. The Reformation of his Army, and the new Settlement of his Revenues, are also Points of immediate Concern, and ought to be immediately concluded. Has any thing been done in either ?

“ To the 3d Paragraph I shall only say, That I march To-morrow with the Nabob to enforce both the Services you exact in it; and if I succeed, as I have the strongest Reasons to hope, in obtaining large Ready Money Resources towards liquidating the Arrears to the Troops, which form a large Proportion of the Debt to the Company, I have not a Doubt of accomplishing every End you have now declared you look to the instant Performance of; but as Troops alone can do it, their Assistance cannot be depended upon without previous Pay, or the Possession of certain Means in hand for that Purpose; as it follows, that an immediate Stop to all Collections must ensue from any general Military Exertion.

“ To the 4th I answer, That nothing has been done, for the Reasons assigned in my Answer to the Second Paragraph. If I erred in the Judgment I had formed of your Intentions, I can say no more, as it is passed, than that the Instant the Fyzabad Business is finished successfully, which cannot take more than One Fortnight from the Day of marching there, I shall take such Steps as the Means in my Power will admit of towards procuring from the Nabob the Orders to each Aumil to pay his Gross Revenues to the Ministers, and to receive the Pay of their Troops, being reduced into regular mustered Establishments, from the general Treasury; and should he refuse, I will issue my own, together with those of the Ministers, to that Purpose, as I did in a former Instance when the Nabob refused his Perwannahs for the Resumption of the Jagheers; and shall further enforce the Execution against each disobeying Aumil by marching against him, and displacing him. These Three Points complete the Heads of your Recommendations to the Nabob, the Fourth Article, which was the Separation and Limitation of his own Disbursements to the Medium of his Receipts for the last Three Years, having already taken place; and then no Assignments will remain upon the Country, but those of the Company, as expressed in the Treaty.

“ 5th. I now demand, and require you most solemnly to answer me: Are you confident in your own Ability to accomplish all these Purposes, and the other Points of my Instructions? If you reply that you are, I will depart with a quiet and assured Mind to the Presidency, but leave you a dreadful Respon-

“ To the 5th, I confidently reply, That I am fully competent to undertake and effect the Completion of the Reform, upon the Grounds stated in my Answer to the 4th Paragraph; and therefore again repeat, that your coming here is unnecessary; and that, as far as regards the Duties of my Station towards the Execution of your Orders, you may depart, in Con-
viction

Responsibility if you disappoint me.—If you tell me that you cannot rely upon your Power, and the other Means which you possess, for performing these Services, I will free you from the Charge, I will proceed myself to Lucknow, and I will myself undertake them; and in that Case I desire that you will immediately order Bearers to be stationed for myself and Two other Gentlemen, between Lucknow and Allahabad, and I will set out from hence in Three Days after the Receipt of your Letters.

“ 6th. I am sorry that I am under the Necessity of writing in this pressing Manner. I trust implicitly to your Integrity, I am certain of your Attachment to myself, and I know that your Capacity is equal to any Service; but I must express my Doubts of your Firmness and Activity, and above all of your Recollection of my Instructions, and of their Importance.

“ 7th. My Conduct in the late Arrangements will be arraigned with all the Rancor of disappointed Rapacity, and my Reputation and Influence will suffer a mortal Wound from the Failure of them. They have already failed in a Degree, since no Part of them has yet taken place, but the Removal of our Forces from the Doaub and Rohilchund, and of British Officers and Pensioners from the Service of the Nabob; and the Expence of the former thrown without any Compensation on the Company.

viction that neither Activity or Firmness shall be wanting in the Exertion of every Means within my Power: And those Means I can foresee no Deficiency in, upon the Permission I have of calling upon Colonel Morgan for Aid, and the Receipt of Assets at Fyzabad.—For these Reasons, therefore, I have not thought it necessary to lay the Bearers that you conditionally ordered.

“ In Reply to the 6th Paragraph, nothing need be offered by me but my Acknowledgments for the Justice you do to my Sentiments towards your Person and Government.

“ To the 7th. If your Conduct should be arraigned, as you suspect, I can at all Times testify, that upon the Plan of the foregoing Years, the Receipts from the Nabob were only a Deception, and not an Advantage, but even an Injury to the Company; for by the accumulating Increase of the Demands upon him, and the proportionate Decrease of his Means, only his Debt to the Company increased, with a Diminution of Prospect of its Liquidation; while the Company's actual Money or Assets went to the Payment of the Troops supposed to be maintained solely at the Vizier's Expence. In Proof of this, it will suffice to remark, that the annual Net Remittances to the Presidency should have been the Difference of the Subsidy, and the real Expences of the Brigade; say,

The Money paid from the Treasury at Calcutta, to Abdulrahman Khan	3,30,000
And the Payment made in like Manner to Mirza Sadit Ally	3,00,000
Besides the full Payment of such Stores as the Company occasionally issued to the Nabob	
Sun' Rup'	18,30,000

or about 20,00,000 of Current, which never yet has been the Case from the Annual Jaidads, or Current Collections—consequently the Plan was a Fallacy; for the Difference between this Amount and the Remittances to the Presidency, was an actual Loss that the Company annually sustained, instead of a supposed Advantage of a Brigade of Infantry and Cavalry being totally defrayed by the Nabob; from this, therefore, I may safely conclude, that the Remission to the Nabob of this insufferable Burthen, was a Profit to the Company, whenever the extra Troops, paid by the Nabob, shall be disbanded or quartered upon other Neighbours, who are protected by our Power, and the Debt put into a probable State of speedy Liquidation.

“ 8th. I expect a Supply of Money equal to the Discharge of all the Nabob's Arrears; and am much disappointed and mortified, that I am not now able to return with it.

To the 8th Paragraph. If the Supply expected at Fyzabad shall prove adequate to the Discharge of all Arrears due to the Troops, and afford an adequate Fund for a Liquidation of the Company's Debt, it will remain at your Option to employ it as a Remittance

" 9th. Give me an immediate Answer to the Question which I have herein proposed, that I may lose no more Time in fruitless Inaction.

" Lucknow,
the 30th December 1781.

tance to the Presidency, or the future Payment of the Troops you may still think necessary to keep up, to regulate the Nabob's internal Government, in regard to which I shall hope for your Determination, when I can inform you of what Means I possess.

" To the last Paragraph. I trust you will find all my Answers as explicit and decisive as you could wish them, and that they will enable you to determine upon yielding, with Confidence, to the Impulse arising from the Necessity of your Presence at the Presidency.

" I have the Honour to be, &c. &c.

(Signed)

" Nath. Middleton,
Res^t at the Vizier's Court." (a)

Read, also, the following Extract from the same Book, and same Consultation, beginning at Page 203 of the same.

" My dear Sir,

Lucknow, the 30th December 1781.

" I have this Day answered your publick Letter, in the Form you seemed to expect. I hope there is nothing in it that may to you appear too pointed. If you wish the Matter to be otherwise understood than I have taken up and stated it, I need not say I shall be ready to conform to whatever you may prescribe, and to take upon myself any Share of the Blame of the (hitherto) Non-performance of the Stipulations made on behalf of the Nabob; though I do assure you, I myself represented to his Excellency and the Ministers, conceiving it to be your Desire, that the apparent Assumption of the Reins of his Government (for in that Light he undoubtedly considered it at the first View), as specified in the Agreement executed by him, was not meant to be fully and literally enforced, but that it was necessary you should have something to shew on your Side, as the Company were deprived of a Benefit without a Requit; and upon the Faith of this Assurance alone, I believe I may safely affirm, his Excellency's Objections to signing the Treaty were given up. If I have understood the Matter wrong, or misconceived your Design, I am truly sorry for it; however, it is not too late to correct the Error; and I am ready to undertake, and, God willing, to carry through, whatever you may, on Receipt of my public Letter, tell me is your final Resolve.

" If you determine at all Events, that the Measure of reducing the Nabob's Army, &c. shall be immediately undertaken, I shall take it as a particular Favour if you will indulge me with a Line at Fyzabad, that I may make the necessary previous Arrangements with respect to the Disposal of my Family, which I would not wish to retain here in the Event either of a Rupture with the Nabob, or the Necessity of employing our Forces in the Reduction of his Aumils and Troops; this done, I can begin the Work in Three Days after my Return from Fyzabad.

" I am, &c. &c.

" The Honourable Warren Hastings.

Nath. Middleton." (b)

Read, also, the following Extracts from the same Book, and same Consultation, beginning at Page 157 of the same.

" From the Bhowe Begum to the Resident.

" The underwritten Particulars have just come to my Knowledge.—That the Nabob's Orders to Meer Mahboob Ally are arrived, directing the Resumption of Nabob Gunge on the other Side of the River, and Bene Gunge my Jagheer, and for him to take charge thereof; also that the Charge of Purgunnah Salone, my Jagheer, is given to Meer Nazir Ally; every Thing respecting myself is specified in your Caulnama. Hitherto no Interference has taken place by any one; I am at a Loss to account for the present Measure. On what Plea has the Nabob resumed my Jagheer, or what are his Intentions? While you are Resident, can such Proceedings be admitted? Express your Disapprobation, that it may not be carried into Effect. Before, Application was made through Molvie Fuzzle Azeem Khan to me, for Lowanah Talook, my Jagheer, when I wrote to Husein Reza Khan, and Hyder Beg Khan, on the Subject, who silenced Molvie Fuzzle Azeem Khan—but now the Resumption of my Jagheer is resolved on.

" The Jagheer is not the Grant of the Nabob, that he should resume it—let those who granted resume it. The Nabob has nothing to do with me. Let me have a speedy Answer. Countermand the Order to Meer Nazir Ally for the Resumption of my Jagheer. The present State of Matters is trifling, but the Consequences shall be great."

(a) Vide supra, p. 529, and Appendix, N° XXXVIII.

(b) Vide Appendix, ibid.

" From

“ From the Resident to the Bhowe Begum.

“ I have received your Letter—recapitulated the Contents—The Nabob has thought proper, on account of the Inconveniencies, Loss, and Indignities he sustains from the Authority exercised by the Jagheerdars throughout the Country, to resume all the Jagheers in his Dominions, in which yours is necessarily included; but as the Amount of your Jagheer is confirmed to you by a written Agreement between you and the Nabob, and guaranteed by Mr. Bristow in Behalf of the Governor General and Council, it will be made good to you in ready Money. If you will therefore be pleased to transmit me an accurate Account of the Amount you realized from your several Jagheers, Gunges, Bazars, &c. as specified in the Caulnâma, after deducting the Expences of Collection, Sebundee, and all other Charges, I will pledge myself that the said Sum shall be regularly remitted to you at such stated Times, and in such Proportions, as you shall prescribe:—As to any Thing farther, his Excellency is Master.”

“ From the Bhowe Begum to Husein Reza Khan.

“ I find that Meer Nazir Ally has been vested with Charge of Purgunnah Salone, my Jagheer, which to me is unaccountable. From whence proceeds his Excellency's Interference with my Jagheer? The Jagheer is not from his Grant, that he should resume it; what his Intentions may be, I am at a Loss to form an Idea of—Note this, that if my Jagheer falls, the Country shall not stand: Remember this, and make the Nabob acquainted with it. It is not well that for a trifling Matter much Trouble should be occasioned.—Recall the Aumil, to whom the Charge of the Jagheer of Salone has been given; if not, it will not be well done. Hitherto I have been silent and patient, but I cannot continue so longer. Whence this Resolution for the Resumption of my Jagheer? Let me have your Answer speedily.”

“ From the Bhowe Begum to the Resident.

“ The Particulars I have written you, respecting my Jagheers, having arrived, will be read by you. The Nabob has sent Aumils to take Charge of them. The Caulnâma, under your Seal, is in my Possession, in which all Interference with my Jagheers is disclaimed, as well as all Demands on me for Money. Now the Engagements of the Nabob are disregarded, although the English are at Hand. I shall, in Ten Days, the Mohrum being over, proceed to Lucknow, where, having fully explained and adjusted Affairs, I shall repair to wherever my Will may direct. Your being at Lucknow will expedite the clearing and closing the Affair. Let there be no Interference with my Jagheer previous to my Arrival at Lucknow, neither vexatiously interfere with my People. I am repairing to Lucknow: Wherefore this Precipitation? You are Guarantee for the Caulnâma. Should the Country be lost to me, it shall be lost to all. I give you this Intimation.—Note it.”

“ From the Bhowe Begum to the Resident.

“ Having written to you particularly respecting my Jagheers, you are now acquainted therewith. Now the Nabob's Order to Meer Baboob Ally is arrived, directing the Resumption of my Jagheers, Nabob Gunge, on the other Side of the River, and Bene Gunge, and their Amount Collections to be paid into the Treasury.—Whence this Measure? You are acquainted with the Purport of the Caulnâma, disclaiming all Interference with my Jagheers, and by the Blessing of God, are at Hand for my Benefit. Yet am I astonished with this Proceeding. The Jagheers are not granted by the Nabob, that he should resume them. What has he resolved against me? The Consequences shall be Extremities. There has been a Friendship of long Date subsisting between the English Government and me. I understand Aumis for other of my Jagheers are in Agitation. Interpole, and put a Stop to such Proceedings. Application was made before by Molvie Fuzzle Azeem Khan, for Lowanah Talook, my Jagheer; on which I wrote to Husein Reza Khan, and Hyder Beg Cawn, who explained the Matter to the Molvie, and caused the Matter to be dropped. Husein Reza Khan and Hyder Beg Khan are my professed Friends. The Business I write to them on is effected. With them I am perfectly satisfied. I am now convinced this Trouble is caused by Molvie Fuzzle Azeem Khan. Make known to him your Displeasure at it, that this Affair may be relinquished, forbidding him ever to enter on the Subject of my Jagheers, to prevent any further Interference of this Kind therewith.”

“ From the Resident to the Bhowe Begum.

“ I had the Honour to reply to your former Letter Yesterday; to the Contents of which I must beg leave to refer you, as far as relates to securing to you the actual Income of your Jagheers, Gungees, Bazars, &c. as set forth in the Caulnâma subsisting between you and his Excellency the Nabob. I certainly am bound in Duty to interfere, because the Faith of the Governor General and Council, my Masters, has been pledged to you for it; and I am ready, as I before informed you, to settle that Point to your Satisfaction; but as to continuing the Lands, &c. in the Form you have hitherto held them, his Excellency the Nabob is the Master, and I cannot oppose his Pleasure,

Pleasure. It behoves you to reflect well on this Matter. I am equally the Friend of you and your Son the Nabob, and can have no Prejudices in favour of one or the other. His Excellency declares, and I have myself seen too many Proofs to doubt it, that the Authority and Dominion exercised by the Jagheerdars is extremely prejudicial to his Revenue and Government. A Medium, therefore, being proposed, by which you lose nothing, and his Excellency gains so much, I should * you would not continue to reject it, since it is unquestionably the same to you, whether you receive the Income of your Jagheer through the Channel of an Aumil appointed under the Nabob's Authority, or from the Hands of your own immediate Agent. For the regular Remittance of whatever Net Income you may heretofore have received from your Jagheers, I willingly make myself responsible; but I again repeat, that in all other Respects the Nabob is Master.—What more shall I say?"

* Sic in Orig.

“ From the Bhowe Begum to the Resident.

“ I understand, from Hussein Reza Khan, that he has spoke to you concerning my Jagheers, and that you in Reply should say that the Nabob's sending Aumils into my Jagheers was not of any Consequence or Prejudice. If these are your Sentiments, I cannot but be much astonished. Had any other Person expressed such, I should not have felt it, but imputed them to his Ignorance. Since I heard that you should have declared such as the above, I have been in Despair, as I cannot think the Country any longer proper for my remaining in it, as those who bound themselves by Engagements, now disregard them. After the Mohrum is past, I shall repair to Lucknow, and take my Leave of it to sojourn elsewhere, as necessitated by the Gentlemen at Lucknow, and as my Inclinations once led me, and is now God's Decree; though, should I be necessitated to quit the Country, God grant that no Soul may be able to remain in it in Peace. The Power of Existence rests not with you, but God. You are a Ruler of the Country, and can take to yourself the Jagheers of others. Many are involved in Distress. Pride is not commendable; it is not countenanced by God. How long is to be the Period of your Reign? Infamy is your Due. The Countries of Puttaghur, Owde, &c. yield Four Crore of Rupees; if they are not sufficient to satisfy you, what can my Jagheers contribute towards it? And why, without my Knowledge, should Aumils be sent into them? If you mean to proceed in this Mode, send Aumils into Nezif Khan's Country, &c. and try the Consequences. While I do remain in the Country, recall the Aumils from my Jagheers. Why so precipitate? Be assured I shall with Expedition take my Departure.”

“ From the Resident to the Bhowe Begum.

“ A Person assuming your Name has just arrived here, with a Letter under your Seal, addressed to me; but as I cannot believe, either from the Subject Matter or the Style, that it can have been dictated by you, or written with your Knowledge, I enclose a Copy of it, that you may detect the Forgery, and inflict a proper exemplary Punishment on the Person who shall have dared thus to abuse your Confidence, and insult me.”

“ From the Nabob Vizier to the Resident.

“ I have received your Letter, covering Copies of Letters from my Mother to yourself—recapitulated† the Contents.—She says her Jagheers were not granted by me. At the Time of the late Nabob's Death, these Mahls were under the Charge of Jowaur Ally Khan, on the Footing of other Aumils, insomuch that the Accounts, &c. were lodged in the Dewan's Office; these Accounts, as they were delivered into the Dewan's Office to the Date of the Nabob's Death, are forthcoming. After his Death, I, as a dutiful Son, made over these Mahls to her in Jagheer, that it could not be said I left my Mother unprovided. The Business and Mahls of the Khalsa suffer considerably, and are much prejudiced by the Authority and Conduct of the Aumils of these Jagheers, Mahls, as also from the Insolence of the Household Khajah; witness the Conduct of Bhar Ally Khan's Naibat Tondah. My Life, Estate, and Dominions originate from the Friendship of the English Government. Yet what Knavery have not these Household Khajahs been guilty of. As therefore it is not prudent that these Mahls should be continued in the Charge of my Mother, or Household Khajahs, I have appointed my own Aumils—receive the Amount arising from these Mahls, and pay it to my Mother, after deducting the Charges of Collections, &c. absolute Charges. I am ready to acquiesce in any Thing for my Mother. As for the other Parts of her Letiers, I trust in God they are dictated by the Household Khajahs; and that I have not caused Shame to myself from my Conduct to God or my Mother. After the Death of my Father, whatever was due from him to the Company, also to the Troops, I took upon myself; but whatever Effects there were remained with my Mother. Some Time since she gave some Part to me, but it went no Way in the Discharge of the Claims of the Company or Troops. For these many Years I have endured much Inconvenience and Trouble for the Discharge of these; yet Half is not made good, and I am in daily Anxiety on this Account, from a Desire to discharge all just Dues to the Company. It is my Intention to proceed to Fyzabad in Ten Days, the Mohrum being over, when I mean to request of my Mother the Whole of my Father's Estate, to enable me to pay off all Debts to the Company. Agreeable to the Laws of God, all my Father's Effects are my

† Sic in Orig.

my Right, that I may make good all Claims on him. If my Mother, from Affection, consents, I shall be happy; if not, in whatever Manner she may render it, I shall pay it towards the Adjustment of the Balance due to the Company. With respect to the Household Khajahs, I shall confine and punish them, for the Knavery and Means they have used towards effecting a Breach between my Mother and myself. You will in Friendship cause this Letter to be translated into English, and send it immediately to the Governor, desiring him not to listen to any one, or what my Mother may write, neither adopt her Opinion, but direct me to receive Money from her, towards the Payment of the Company's Demands. I am ready to defray and allow her for her Expences—with respect to the Amount Collections of her Jagheers, after deducting all necessary Charges of Collection; you may receive and transmit it to her." (a)

Read, from Book 105, already delivered in, the following Letter from the Bhow Bhegum to the Governor General, received the 6th January 1782.

" From the Mother of the Vizier.

Received 6th January 1782.

" 5. Our Situation is pretty well, and your good Health is constantly prayed for. I had sent Behar Ally Khan to you; accordingly People invented a Falsehood, that Behar Ally Khan was gone to get the Deputyship of the Soubah, and some Persons here were saying, " Wherefore has she sent Behar Ally Khan to Calcutta to the Naivab Amaud ud Dowla? we will never permit the Affair to succeed." And accordingly it has so happened, for they say that you also have not put your Seal to the Treaty; and the People here say, Why does the Nabob Lady correspond with the English Gentlemen? On this Account I did not send a Letter at the Time when you came this Way. Now the State of Affairs here is thus: On the 27th Zchedje, Asuph ud Dowla Behader, without my Knowledge, sent his own Aumils into my Jagheer. I accordingly wrote several Times to Mr. Middleton on this Business, that his Seal was to the Treaty and Writing of Discharge, why did he not negotiate in my Favour? Mr. Middleton replied, " The Nawab is the Master." I wrote frequently, but without Effect. Being helpless, I represent to you the State of my Affairs, that notwithstanding the Existence of this Treaty, I have been treated in this Manner: It is useless for me to stay here. Whatever is, is a Compact; whenever any one deviates from his Compact, he meets with no Credit for the future; and the Light of mine Eyes, Asuph ud Dowla, wrote to me, that he had sent his own Aumils into my Jagheers, and would pay me ready Money from his Treasury. Reflect on my Security for his adhering to his future Engagements, from the Consideration of his Conduct under his past Promises. I do not agree to his ready Money, let me have my Jagheer, as formerly; otherwise, leaving this Place, I will wait on you at Benaris, and thence will go towards Shah Jehan Abad, because he has not adhered to his Engagements. Send Letters to Asuph ud Dowla, and to Mr. Middleton, and Hussien Reza Khan, and Hyder Beg Khan, not to molest the Beegum's Jagheer, and to let them remain as formerly with the Beegum's Aumils; and it is here suspected of me, that my Aumil plundered the Property of Mr. John Gordon. The Case is this: Mr. John Gordon arrived at Tandah, a Jagheer of nine, fighting with the Zemindars of Akberpoor, which belongs to the Khalfah. Accordingly, Mr. John Gordon having come to Tandah, my Aumil performed whatever appertained to his Duty. Afterwards Mr. John Gordon wrote to me to send my People, that he might come with them to Fyzabad. I sent People accordingly to bring Mr. John Gordon; and the said Gentlemen arrived here in complete Safety. And Mr. John Gordon is now present, ask him yourself of these Matters. Mr. John Gordon will represent Matters in Detail;—the Truth will then become known, how ill founded the Calumny is. Should you come here for a few Days, it will be very well; and if not, I will wait on you. And your coming here is very necessary, that all my Affairs may become arranged; and send a speedy Answer to my Letters, and Letter to Asuph ud Dowla, and Mr. Middleton, and Hussien Reza Khan, and Hyder Beg Khan, on the Subject of ceasing to molest my Jagheers; and send me constantly News of your Health, for my Peace of Mind depends thereon." (b)

Read, the following Letter from the Governor General to the Nabob Vizier, dated the 2d January 1782, from Book 120, already delivered in.

" To the Vizier.

" Written the 2d January 1782.

" No. 1. From the Letters of Mr. Middleton I learn, that he had shewn you, as I desired him, the Agreements entered into between us at Chunar, and that your Highness did not agree to, or approve of, several of the Articles. My only Desire in giving that Gentleman that Order was, that he might assist in the Adjustment of those Matters agreed on, because these Regulations tend to the strengthening your Highness's Authority, and the Advancement of the Cultivation of the Country. Your Highness does not approve of the Assistance proposed; I am in doubt how to

(a) Vide Appendix, N^o XXXVIII.

(b) Vide supra, P. 699.

proceed; my sole View in this Journey to Benaris was to regenerate the Friendship already subsisting between your Highness and the Company, and to assist your Highness in forming the Bundobust of the Country; and I believe that that * these Arrangements, from the Time of our mutual Adjustment of them, would ere this have been accomplished; but it has not happened; your Highness has done nothing towards it; nor do I perceive, that, in the Bundobust which your Highness has consented to, you act so as to bring it to a Conclusion, or that you approve of the Bundobust that I have pointed out. Still I am ready, with my Abilities, to assist your Highness, that, if your Highness requires it, I will repair to Lucknow, and use my Endeavours either either † with my Advice or my Friendship in your Concerns, until every Article that has been agreed between us shall be fulfilled. Should not your Highness approve of my Assistance in the Affairs of your Sircar, I do not desire to persist in it; but if in future any Loss should be sustained by your Highness, it cannot be laid to my Charge, and whatever remains due to the Company, it is necessary they should receive it without a Balance. Unless this is done, I cannot return to Calcutta. Should this Matter be adjusted, and your Highness's Desire be such, that the settling your Bundobust should rest in your own Hands, I agree to it. Whatever I may wish, I shall write to Mr. Middleton, who will explain it to your Highness."

Read, the following Extract of a Consultation of the 12th June 1783, from Book 82, before delivered in, beginning at Page 214 of the same.

" To Mr. Middleton.

" Sir,

Benares, 2d January 1782.

" I have received your Letters of the 30th December, and shall reply to them fully. It has afforded some Relief to the Anxiety which I have felt. If you have not already declared to the Nabob the Explanation which I desired you to give him, of the Sentiments expressed in my Letter, I desire you to defer it till you hear further from me. In the mean Time you may assure him that whatever is written in the Agreement concluded between us at Chunar shall be literally and firmly observed on my Part. I shall immediately compare it, for that Purpose, with the Measures now under Consideration.

" I am, &c. &c.

(Signed) Warren Hastings." (a)

Read, also, the following Extract from the same Book, and same Consultation, beginning at Page 224 of the same.

" To the Honourable Warren Hastings, Governor General, &c. &c.

" Sir,

" I have the Honour to inform you, that the Nabob marched to Fayzabad on the 1st instant, and that I follow him, conformably to your Orders, To-morrow Morning, having Yesterday ordered away the 8th Regiment to be ready to arrive with me on the 6th instant at Fayzabad. The 20th Regiment, under the Command of Major Martin Gilpin, which was detached some Days ago from Cawnpore to enforce the Vizier's Order for the Resumption of the Begum's Jagheer, I have thought it necessary to station at Lucknow, in lieu of the 8th Regiment, until my Return from Fayzabad, when I shall be better able to judge how far, and what Force it may be necessary to employ against the Agents of the Begum, who I understand have all received the most positive Injunctions to oppose, by every Means in their Power, the Execution of the Vizier's Orders respecting the Jagheers.

" I have the Honour, &c. &c.

" Lucknow,
the 3d Jan^r 1782.

(Signed) " Nath. Middleton,
Resident at the Court of the Vizier." (b)

Read, also, a further Extract from the same Book and same Consultation, beginning at Page 226 of the same.

" To the Honourable Warren Hastings, Governor General, &c. &c.

" Sir,

" I arrived with the Nabob at Fayzabad Two Days ago, and his Excellency has made his Demand upon the Bhow Begum; but nothing final or decisive having yet taken place, I defer writing fully, or entering on the Subject until To morrow, when I hope to be able to do it with some Certainty as to the Result.

(At the End)

" Fayzabad, the 10th January 1782. Nath. Middleton." (c)

(a) Vide Appendix, N^o XXXVIII.
(b) Vide Appendix, *ibid*.

(c) Vide Appendix, *ibid*.

Read, also, the following Extract from the same Book, and same Consultation, beginning at Page 229 of the same.

" To the Honourable Warren Hastings, Governor General, &c. &c.

" Sir,

" I was this Day honoured with your Commands of the 10th instant, informing me of the Military Station you have established at Juanpore, with the Liberty you grant the Nabob Vizier of claiming their Aid to quell any Disturbances in the adjacent Parts of his Provinces. I have accordingly communicated it to his Excellency, who with great Justice was highly pleased with the Disposition, as in Truth the Districts bordering upon the Zemindary of Benares have for a long Period of Time been of all others the most turbulent and disaffected, and nothing less than the Arrangement you have now formed, could effectually secure the Peace and Tranquillity in that Neighbourhood, so essential to the Prosperity of the Nabob's Government and Revenues.

" With respect to the Business here, I have the Honour to inform you, that Yesterday finding that the temporizing and indecisive Conduct of the Nabob seemed to promise an Issue very different * very different from that expected in your Commands of the 26th December last; and that the only Use the Two leading Eunuchs under the Bhow Begum made of the Delay was, to assemble and call in armed Men from all Quarters, which when united with the large Force already in the Town under their Direction, would in all Probability have brought the Matter to a much more severe and arduous Test than it at present could admit of; I found myself necessitated to take the most immediate and decisive Interference which the Force with me was capable of, and accordingly, having the Nabob's written Requisition, marched the 23d Regiment, under the Command of Major Naylor, with a Detachment of his Excellency's own Troops, against the Kella, and had the Happiness to succeed in putting the Nabob's Party in Possession of it without any Effusion of Blood; the armed Men retiring from it on the Approach of our Troops, and drawing up with their Guns in a large broad Street before the House of the old Begum, to which the Bhow Begum and her Two principal Eunuchs had retired the preceding Evening. This effected, the Nabob issued his peremptory Orders for the immediate Departure of all armed Men, excepting his own Troops, beyond the Precincts of the Town, threatening them with an instant Attack if they disobeyed. This Order, after many Evasions, was promised to be complied with; and the Two Eunuchs, Bahr and Jowar Ally Cawn, at the same Time coming in, and delivering themselves into the Nabob's Custody, the armed Men, amounting to between Three and Four thousand, evacuated the Town and dispersed. I have since learnt, that had the Nabob's Troops alone attempted the Seizure of the Kella, a very desperate Resistance was resolved upon, which appeared very probable, from the State in which the armed Men were found, being the preceding Evening furnished with a large Store of Ammunition, and now drawn up in regular Order, with loaded Pieces, and their Matches lighted; but they were prudent enough to think themselves unequal to the united Efforts of his Excellency's Troops, supported by an English Regiment, and by this Conviction much Mischief has happily been prevented.

" To-morrow I hope to be able to inform you of the Effect of the present advantageous Situation, and in the mean Time have the Honour to remain, &c. &c.

" Fayzabad,
the 13th Jan^r 1782.

Nath. Middleton,
Resid^t at the Court of the Vizier.

" P. S. I have the Honour to enclose you a Letter from the Vizier, in reply to your last to his Excellency." (a)

Read, also, a further Extract from the same Book, and same Consultation, beginning at Page 234 of the same.

" Honourable Sir,

Camp, Kella, Fyzabad, Jan^r 14th 1782.

" Some Business of Importance, which the Resident had to settle at Fyzabad, occasioned my suddenly joining him there. After my Arrival, a Couple of Days passed in Negotiation, but without Effect; and the Party in the Town collecting, and hourly gaining Strength, at length, after mature Deliberation, it was resolved that I should, with my Regiment, and Four Guns, storm the Town, which I effected the 12th in the Morning. I very soon got Possession of the Kella, in which is the Palace and Zenanah; and as there were not only several Gates, but Openings in the Walls, as I entered on one Side they escaped at the other; but shortly after the Party returned again, headed by the Two principal Eunuchs, Bahr Ally Cawn and Jewar Ally Cawn, and drew up opposite and within Sixty Yards of One of my Posts, with Three Guns, and added the most aggravated † Behaviour; however, as they did not fire, or offer any other Acts of Hostility, and when I reflected on the Consequence that would attend a contested Dispute in the Streets of the Town; of the Zenanah, &c. being subject to be plundered even by themselves,

(a) Vide Appendix, N^o XXXVIII.

which would have been attributed to me; and being so situated, for the Safety of the Female Part of the Family on one Hand, who were under the most dreadful Apprehension, and for the Support of his Excellency's Authority on the other, who was waiting the Result on the Outside of the Town, I was for a short Time doubtful how to decide; however, as I had Mahomed Affrein Cawn along with me, a Person in high Favour with the Nabob, and well acquainted with both Parties, I desired to circulate lenient Advice, pointing out how fatal an Attack would be to them, and inevitable Ruin to those they appeared so zealous to support. It had the Effect; the Two Eunuchs immediately surrendered, their People instantly left the Town, and I ordered their Guns to be dragged away.

" As soon as the tumultuous Noise was over, and I had posted Guards for the Safety of the Palace, &c. I directly sent a Chubdar to the Begum, and offered every Assistance she might want, and at the same Time consistent with my Instructions, which she accepted; and now I have the Satisfaction to inform you the Shops are all open, and Peace and Tranquillity prevails through the Town.

" I have the Honour to be, &c.

" (Signed)

T. Naylor." (a)

" To the Honourable W. Hastings, &c.

The Managers for the Commons acquainted the House, they should next produce a Letter to shew the storming and Plunder of the Kella; in which it appears there was a Letter written by the Nabob Vizier to Mr. Hastings, and also another, which was to have been conveyed thro' Mr. Middleton to the Bow Begum, neither of which the Managers had been able to find.

Read, the following Extract from the same Book, and same Consultation, beginning at page 242 of the same.

" To the Honourable Warren Hastings, Governor General, &c.

" Sir,

" I have been honoured with your Commands of the 8th and 14th instant; and in Reply to the First, have to inform you, that having represented to the Nabob the improper Treatment which Dewanjee Punt met with from the Officers of Government at Allahabad, on his Way to you, strict Orders have been issued to the Phougedar of that Province to prevent any Impediment or Molestation to him on his Return to the Deekan; and I also, in obedience to your Commands, signified to the Nabob's Ministers your Sentiments and Disapprobation of a Conduct which reflected so much Disgrace on his Excellency's Government. Their Reply was, That the Washing Duties, or Tax levied upon all Persons coming to bathe at the Conflux of the Rivers Ganges and Jumma, has long been an established Thing, and at present forms a considerable Article of Revenue in the Tohud of the Farmer of Allahabad; that it shall be their Care to prevent, as much as possible, any Abuse of this Privilege during the Remainder of the current Year, and at the Period of the new annual Settlement to abolish it altogether, if it is your Wish that it should not exist.

" I had the Honour to address you under Date the 13th instant, inclosing you the Letter from his Excellency the Vizier, for which you inform me you are waiting, and acquainting you with the Measures which had been taken here towards accomplishing the Object of your Commands. I have hitherto withheld any farther Communication, in the Expectation of shortly being able to inform you, with Certainty, what would be the Issue of our Proceedings; a Subject on which I have been extremely unwilling to touch, until I could do it on such Grounds as could not mislead your Hopes or Expectations: Until Yesterday the Business was in no Form that could enable me to pronounce, or even conjecture, what would be the Result.

" It very early appeared, that the Begum, with the Assistance of her Cojahs, had disposed of and secreted her Wealth in such a Manner as to elude almost the Possibility of obtaining Possession of it by mere Force of Arms; and whatever rigorous Measures it might be proper for the Nabob ultimately to adopt, it seemed, at all Events, in the first Instance highly expedient that we should pursue the Course which promised, with the greatest Certainty, the Accomplishment of his First Object, in which the Interests of the Company, and your Desires, were too much concerned for me to hesitate a Moment in giving my Concurrence to a temporary Forbearance, which I had Reason to believe was the most advisable, and, if it did not succeed, could be attended in the Issue with no worse Effect than a few Days Delay in closing the Business.

" Your Letter to the Begum, which I had the Honour to receive and forward to her Yesterday, having destroyed a Reliance, which, notwithstanding the Part I have avowed and acted with respect to her, she probably placed in the Support and Mediation of our Government, has given a very favourable Turn to the Business, and afforded me a well-grounded Hope that in One or Two Days more I shall be able to inform you of a satisfactory Conclusion of it.

" I have the Honour, &c. &c.

Nath. Middleton,

Rel^t at the Court of the Vizier." (b)

" Fyzabad,
the 18th January 1782.

(a) Vide Appendix, N° XXXVIII.

(b) Vide Appendix, ibid.

Read,

Read, also, the following Extract from the same Book, and same Consultation, beginning at Page 244 of the same.

" To the Honourable Warren Hastings, Governor General, &c. &c.

" Sir,

" The Begum having finally agreed to surrender to the Nabob the Treasures of his late Father the Nabob Shujah ul Dowlah, which she had hitherto retained in her Possession, his Excellency desired me to withdraw the Troops from the Kella, that the Begum might return into it in order to deliver the Treasure—to this I consented, as also to the Re-delivery to the Nabob of the Two Eunuchs Bhar and Jowar Ally Cawn, without whose Presence and Assistance nothing could be effected, as they were the only Agents employed by the Begum in the secreting and depositing it; they previously pledging themselves to be present, when called upon, to answer to the Accusation which I have informed them was laid against them. In the mean while, the Begum has delivered over her Chelah, Shumsheer Khan, who was Phousdar of Tanda which Captain Gordon arrived there.—So that I now hope the whole Business upon which I came here is in the most favourable Train.

" I have the Honour to be, &c. &c.

" Fayzabad,
the 20th January 1782.

Nath. Middleton,

" Res at the Vizier's Court."

" To the Honourable Warren Hastings, Governor General, &c. &c.

" Sir,

" I had the Honour to address you, under Date the 25th instant, acquainting you of the Vizier's having, from the Treasure delivered up to him by the Bhowe Begum, commenced on the Payment of his Debt to the Honourable Company. I have now the Pleasure to inform you, that I am this Day in Possession of a Sum equal to the Liquidation of his Bond for the Balance of 1187; and he further gives me Hopes, that he shall be able shortly to begin Payment of the 12 Lacks due for the Balance of 1188, of which I shall in due Course give Information.

" I have the Honour to be, &c.

" Fayzabad,
the 27th January 1782.

Nath. Middleton,

" Res at the Court of the Vizier." (a)

To prove Mr. Hastings's Disapprobation of the Two Days of Negotiation entered into by Mr. Middleton,

Read, the following Letter from the Governor General to Mr. Middleton, dated 25th January 1782, from Book C, already delivered in.

" To Mr. Nathaniel Middleton, Resident at Lucknow.

" Sir,

" I have received your Letters of the 31st ultimo, the 3d, 10th, and 18th instant.

" The Satisfaction which I received on the first Advice of your Success at Fyzabad, has been greatly allayed by my Disappointment of its Effects. I am compelled to remind you of my Instructions contained in my Letter of the 26th December. They were the most positive, that you were not to allow any Negotiation or Forbearance, but prosecute both Services until the Begums were at the entire Mercy of the Nabob, their Jagheers in the quiet Possession of his Aumils, and their Wealth in such Charge as might secure it against private Embezzlement.

" You began by Negotiation, which had the natural Effect of exciting Resistance; and you now tell me, that without hesitating a Moment, you have given your Concurrence to a temporary Forbearance. It is possible that in this repeated Opposition to my Orders, you have actuated * by some Necessity; but this I can hardly suppose, as you have not even alluded to them, or assigned Reasons for having deviated from them. * Sic in Orig.

" I shall wait anxiously for the Result of your Proceedings; after having, at the earnest Solicitation of the Nabob in the First Instance, and his Application to me for my Concurrence in the Second, agreed to his Resumption of the Jagheers held by the Begums, and to the Confiscation of their Treasures, and thereby involved my own Name and the Credit of the Company in a Participation of both Measures: I have a Right to require and insist on the complete Execution of them, and I look to you for their Execution, declaring that I shall hold you accountable for it, if they shall fail of the Ends proposed, after the Attainment of the Means which the Dismission and Dispersion of their Forces, and the Possession of the Kella, have afforded you for accomplishing them beyond the apparent Possibility of a Disappointment.

" I desire that you will express these Sentiments to the Nabob, so far as they relate to him, and further, repeat the Advice contained in my Letter, which, with a Copy of it, I enclose.

" I am,

" On the Ganges,
near Jangheera,
January 25th 1782.

Sir,

Your most obedient humble Servant,
(Signed) " Warren Hastings."

To shew the Reluctance with which the Minister acted in this Business,
Read, the following Extract from Book 105, already delivered in.

“ 8. Enclosures from Ally Ibrahim Khan.

“ Received 18th January 1782.

“ N^o 1. Copy of a Letter from Hyder Beg Khan to Ally Ibrahim Khan;

“ Your affectionate Letter arrived at Fyzabad Palace on the 24th Mohurrem; you wrote that at the Time of taking leave of his Highness, after what had passed concerning the Settlement of Affairs, and the Permanency of the Prosperity of his Highness, and of the Company's Well-wishers, it occurred to your Mind, that good Order would speedily assume Form from his Highness, and from the Nawab Hussen Reza Khan, and from me, but that as yet several Affairs were not come to Light; that it was incumbent I should perform them with Expedition; otherwise that there would be Cause for my being spoken against, and my Engagements obtain no Credit. My Friend, I became greatly astonished and affected on understanding these Things, because the Nawab Hussen Raza Khan and myself knew the bettering of ourselves to be dependant on the good Order of the Affairs of his Highness's Sircar, and of the Company's, and from the Time of my coming here, I knew not that any Affair has been delayed, and I have executed whatever came to my Understanding as appertaining to Loyalty to his Highness's Sircar, and to the Company's Sircar, which in Truth are one and the same, and also whatever Mr. Middleton commanded. However in some Matters, which have not been yet treated of, perceiving the Prosperity of his Highness's Affairs, and good Will to the Company's Sircar therein, I came to Fyzabad with a Determination concerning them, and to the utmost of my Power have laboured in forwarding them; no Manner of Neglect has or shall take Place. But, in the Performance of several beneficial Operations, the whole Court has become adverse to me; yet not giving any Consideration thereto, I resign myself to the Service of his Highness and of the Company; whatever Mr. Middleton commands becomes performed. Notwithstanding these Occurrences, of which Intelligence has undoubtedly reached you, yet have you written in a friendly Manner to such a Purpose; it has produced the Thought, that some Matter must have been neglected, which I or Mr. Middleton have not recollected; therefore, acknowledging the Errors to which Human Nature is subject, I request Information what Business it is, of which you say, several Matters have not been performed: If you will write particularly I will exert myself therein to the Utmost of my Power, in as much as I am not wanting to Submission and Obedience. Write to me speedily a detailed Answer, for I labour under much Disquiet and Anxiety; I cannot become convinced without Information. As I am perfectly certain that nothing of Mr. Middleton's Commands, have with my Knowledge been neglected, therefore suspecting myself of some Error, I have requested Information as to what you wrote, that I should make haste in the Affairs and give Information, and so on Occasion it would be remembered. “ You may understand my Conduct from others, that Night and Day I am employed on the Affairs of his Highness's and the Company's Sircars, and with perfect Content of Mind. You may, on Occasion, recal it to Remembrance, that as far as I am able, I neither have nor shall fail in the Business of both Sircars, which are as one and the same, and that considering the Favour of God, and the Kindness of Mr. Hastings, Governor General, and turning not aside, I will exert myself from my Soul, in whatever may promote the Interests of both Sircars.”

“ N^o 2. Copy of a Letter from Hyder Beg Khan to Ally Ibrahim Khan.

“ From the Time that your friendly Letter arrived, containing this, that some of the Matters which were treated of for the Benefit of the Sircars of his Highness and of the Company, were not yet performed, my Heart has suffered great Disquietude. From the Time of my coming here I have exerted myself in those Matters, and I know my Prosperity to be in the good Order of the Affairs of his Highness and of the Company; and Mr. Middleton and Mr. Johnson are appointed here, and whatever has occurred to me for the Benefit of both Sircars, I have represented to both Gentlemen, and, imploring their Assistance, I employ myself in the Performance thereof. In getting Possession of the Jagheers of his Highness's Relations, there have been great Difficulties; but, viewing the Service of his Highness, I have not attended to the Discontent of any one; and Mr. Middleton, in Conformity to Mr. Hastings's Directions, gives me his Assistance; I act as he commands. From that Period the Nobles of his Highness's Sircar are hostile to my Life. This Matter is not concealed; it is publick. Considering God's Grace, and the Favours of the Governor, I am not wanting in Service. Having determined on an Undertaking not yet communicated, which I know to be for the Service of his Highness and of the Company, I am come as far as Fyzabad. If it be executed conformably to my Representation, you will know it when completed. Here my Loyalty has made such Enemies; and if I be in your Parts suspected of Negligence and Laziness, do me the Justice to conceive how great would be my Disquietude. However, I trust that my Efforts and good Wishes are not in vain; the Nawab Governor General is just and penetrating. He will afford some Comfort, and take me by the Hand. I am surprised that, notwithstanding these Circumstances, of which you must have had daily Intelligence, you

you should have written that several Matters are not yet performed, and that for the future my Promises would not meet Credit. Alas!

" Verbe. My Eyes are as a Mill, and Tears as the Grain.

" I do not consider such Words from my Protector in a small Light. Having understood the Cause thereof, write me in Detail, that my Alarms may be removed.

" Yesterday I dispatched an affectionate Letters * in Answer to your friendly Epistle. I trouble you again, from the Distress of my Mind, at understanding those Circumstances. Write a speedy Answer, and write in Detail to me, whatever may be commanded and observed concerning me. It is of no Importance to write in Detail the Commands on other Business." * Sic in Orig.

To prove, that Hyder Beg Cawn had rendered himself odious and detestable, by becoming Mr. Hastings's Agent and Instrument in the Execution of the Measures respecting the Begums,

Read, the following Letter from Mr. Middleton to the Governor General, dated 11th February 1782, from Mr. Middleton's Letter Book B. already delivered in.

" To the Honourable Warren Hastings, Governor General, &c. &c. &c.

" Sir,

" Inclosed I have the Honour to forward you Addresses from his Excellency the Vizier and his Ministers. In Justice to the latter, it is incumbent upon me to inform you, that during the Progress of the Business at Fayzabad, I received from them the most willing and zealous Support; and that to their Exertions I consider myself greatly indebted for the complete Success which attended that Business, as well as for the Fruits of it being solely applied to the Liquidation of the Nabob's Debt to the Honourable Company.

" Under these Circumstances it would afford me great Satisfaction, and, I conceive, tend to promote the publick Service, were they honoured with some Testimony of your Approbation and Favour, which would be particularly acceptable to them at this Period, as their Conduct in the Transactions at Fayzabad, and in the Resumption of the Jagheers, has excited the inveterate Resentment of the Begums, and many Persons of the first Consequence about the Court, whose Interests have been affected by the latter Measure, and created a more painful Combination against them than they have ever before had to oppose.

" In short, Sir, they are considered not only by this Party, but by the Nabob himself, as the Dependants of the English Government; which they certainly are, and it is by its declared and most obvious Support alone that they can maintain the Authority and Influence which is indispensibly necessary, to enable them to discharge the Trust reposed in them, either with Credit to themselves, or Advantage to the Publick.

" I have the Honour to be, with great Respect,

Sir,

" Lucknow, the 11th
February 1782.

Your most obedient and most humble Servant,
(Signed) Nath. Middleton."

To prove that Mr. Hastings rewarded the Ministers, by sending them the Khelaats, or Robes of Honour,

Read, from the same Book, the following Letter from Mr. Middleton to the Governor General, dated 12th May 1782.

" To the Honourable Warren Hastings, Governor General, &c. &c. &c.

" Sir,

" Having in Obedience to your Commands prepared, and in your Behalf invested the Ministers with the Khelats you consented to bestow upon them as a Token of your Protection, I have now the Honour to forward you their Acknowledgments on that Occasion. And am, with the most profound Respect,

" Sir,

" Lucknow,
the 12th May 1782.

Your most obedient, and
most humble Servant,
(Signed) Nath. Middleton."

Read, the following Letter from Mr. Middleton to Sir Elijah Impey, dated the 25th January 1782, already delivered in at the Bar (a).

" Dear Sir Elijah,

Fayzabad, the 25th January 1782.

" I have the Satisfaction to inform you, that we have at Length so far attained the great Object of our Expedition to this Place, as to commence on the Receipt of Money, of which, in the

Course of this Day, we have got about Six Lacks. I know not yet what Amount we shall actually realize, but I think I may safely venture to pronounce it will be equal to the Liquidation of the Company's Balance. It has been at once the most important and the most difficult Point of Duty which has ever occurred in my Office, and the Anxiety, the Hopes and Fears, which have alternately agitated my Mind, cannot be described or conceived but by those who have been Witnesses to what has passed in the Course of this long Contest. The Ministers have supported me nobly throughout the Business, and deserve much Commendation; without the shrewd Discernment, and Knowledge of the Finesse and Tricks of the Country, which Hyder Beg Cawn possesses, I believe we should have succeeded but indifferently; for I soon found that no real Advantage was to be obtained by proceeding at once to violent Extremities with the Begum, and that she was only to be attacked through the Medium of her confidential Servants, who it required considerable Address to get hold of; however, we at last effected it, and by using some few Severities with them, we at Length came at the secret Hoards of this old Lady. I will write you more Particulars hereafter.

"I am sorry to inform you my little Boy still continues in a very precarious Way, though somewhat better than when I had last the Honour to address you.

"My Respects to Lady Impey; and believe me with great Regard,

My dear Sir Elijah,

"Sir E. Impey.

Your faithful, obliged, and
most affectionate humble Servant,
Nathaniel Middleton."

Then the following Letter from Mr. Middleton to Sir Elijah Impey, dated 27th January 1782, was delivered in, and read as follows:

"My dear Sir Elijah,

Fayzabad, 27th January 1782.

"I had the Pleasure to inform you Yesterday of my having commenced on the Receipt of Money; this is only to tell you, that we have gone on receiving ever since without any material impediment; and if we continue with the same Success To-morrow, I flatter myself the great Object of our Friend will be fully accomplished, and I shall return to Lucknow very well satisfied with the Expedition. In the worst Event that can now happen, it cannot be a bad Business for the Company.

"My Respects to Lady Impey; and believe me, with true Attachment,

My dear Sir,

Your faithful and affectionate humble Servant,

Nath. Middleton."

"My little Boy still continues in a precarious Way."

Then a Letter, from Mr. Middleton to Sir Elijah Impey, dated Fayzabad, the 27th January 1782, was delivered in, and an Extract from the same was read, as follows:

"We have made a considerable Progress in our Receipts here; having already realized enough for the Liquidation of the Nabob's first Bond to the Company, and in Hopes of getting sufficient to pay off also the second; which is only Twelve Lacks. In short, my dear Sir, the Business has answered the Expectations I told you, at Lucknow, I entertained of it, and cannot fail to give a considerable Help to the Company's Finances, at a Time they so much want it.

"My Accounts from my Family at Lucknow are somewhat more favourable than they were, but not such as to remove my Apprehensions about the Child. I beg my Respects to Lady Impey; and remain, with unfeigned Regard,

"My dear Sir Elijah,

your faithful, obliged, and

most affectionate Friend,

Nath. Middleton."

"Fayzabad, the 27th January 1782.

"Sir Elijah Impey.

Then a Letter, from Mr. Middleton to Sir Elijah Impey, dated the 5th February 1782, was delivered in, and read, as follows:

"My dear Sir Elijah,

Lucknow, the 5th February 1782.

"I have the Pleasure to inform you of my Return to Lucknow, with a Sum of Money equal to the Liquidation of the Nabob's Debt to the Company. After paying up the Arrears of the Troops in these Provinces, for which they have long been very pressing, I shall immediately forward the Residue to the Presidency; and shall think myself happy in being the Instrument of affording so seasonable a Relief to the Exigencies of Government. This is all I have, at present, Time to trouble you with, on Business; but shall write you again in a Day or Two.]

"I have the Satisfaction to acquaint you, that my little Boy is much better, than when I last wrote you; but still so weak, and recovering so slowly, that an immediate Change of Air is strongly recommended, and, perhaps, is the only Expedient that can promise to save his Life.

“ Mrs. Middleton will, therefore, set out with him in a few Days, accompanied by Cator's Family, for Dacca, and from thence, if the Season will permit, she will proceed to Chittagong. This Measure, I am sorry to say, is almost as necessary for her as the Child; for what with Grief and Anxiety for him during his long Indisposition, and the Effects of a violent Cold, which she caught soon after you left us, her Health is very much impaired, and would, I apprehend, not easily be restored at Lucknow.

“ I am very anxious to accompany her, or at least to follow her soon; and, for that Purpose, requested, through Mrs. Hastings, some Time ago, the Governor's Leave of Absence; but he had left her, and proceeded, by Dank, to the Presidency, before my Letter reached her, so that I am disappointed, and must now, my dear Sir, entreat of you this friendly Office.

“ I shall not avail myself of the Indulgence I solicit, until all the Governor's Orders are executed, and the Business of my Office put in such a Train, as to run not the smallest Risk of being impeded by my Absence. The sooner you can favour me with the Governor's Leave, the greater I shall consider the Obligation. Mrs. Middleton joins me in best Respects to you and Lady Impey; and I remain, with great Regard,

“ My dear Sir Elijah,
your faithful, obliged, and
most affectionate Servant,
“ Nath. Middleton.”)

Read, the following Extract of a Consultation of the 12th June 1783, beginning at Page 240 of the same.

“ To the Honourable Warren Hastings, Governor General, &c.

“ Sir,

“ I have had this Day the Honour to receive your Commands of the 25th ultimo, and am extremely concerned that the Mode of conducting the Fayzabad Business, as set forth in my Address of the 18th January, did not meet your entire Approbation. Permit me to assure you, Sir, it is with the greatest Reluctance I ever venture to deviate from the express Letter of your Instructions; and I cannot accuse myself of having done it on any Occasion, where it did not appear to my Judgment that the Object and Spirit of them rendered it advisable, and that the apparent Necessity would justify such Latitude.

“ In the present Instance, it was more in Appearance and Expression than in Fact, that any Deviation was made from your Orders of the 26th December; for although I was constrained, from my strict Regard to the Accomplishment of what I considered the First Object of this Undertaking, to admit of a temporary Forbearance, for the Reasons assigned in my Address of the 18th ultimo, the Begums were at that Time to be considered as entirely at the Mercy of the Nabob, their Jagheers were in the Possession of his Aumils, their Troops dispersed, and the Kella of Fayzabad, which included also the Bhow Begum's own Habitation, under the Guard of his Excellency's and our Troops.

“ It remained only to get Possession of her Wealth; and, to effect this, it was then, and is still, my firm and unalterable Opinion, that it was indispensably necessary to employ temporizing Expedients, and to work upon the Hopes and Fears of the Begum herself, and more especially upon those of her principal Agents, through whose Means alone there appeared any probable Chance of our getting Access to the hidden Treasures of the late Vizier; and when I acquaint you that by far the greatest Part of the Treasure which has been delivered to the Nabob was taken from the most secret Recesses in the Houses of the Two Eunuchs, whence of course it could not have been extracted without the Adoption of those Means which could induce the Discovery, I shall hope for your Approbation of what I did. I must also observe, that no further Rigour than that which I exerted could have been used against Females in this Country, to whom there can be no Access. The Nabob and Salar Jung were the only Two who could enter the Zenanah: The First was a Son, who was to address a Parent, and of course could use no Language or Action but that of earnest and reiterated Solicitation; and the other was in all Appearance a Traitor to our Cause: Where Force could be employed, it was not spared. The Troops of the Begum were driven away and dispersed, their Guns taken, her Fort, and the outward Walls of her House, seized, and occupied by our Troops, at the Nabob's Requisition, and her chief Agents imprisoned and put in Irons. No further Step was left. And in this Situation they still remain, and are to continue (excepting only a Remission of the Irons) until the final Liquidation of the Payment; and if then you deem it proper, no possible Means of Silence being left in her Hands, or those of her Agents, all her Lands and Property having been taken, I mean, with your Sanction, to restore her House and Servants to her; and hope to be favoured with your early Reply, as I expect that a few Days will complete the final Surrender of all that is further expected from the Begum.

“ Lucknow,
the 5th February 1782.

I have the Honour to be, &c. &c.
Nath. Middleton,
Resident at the Court of the Vizier.”

“ To the Honourable Warren Hastings, Governor General, &c.

“ Sir,

“ I had the Honour to address you Yesterday; and this Morning I was favoured with your Commands of the 27th ultimo.

“ You are already apprized, by my Address of Yesterday, and my preceding Letters, of the promised Issue of the Business at Fayzabad, as well as of the State in which I left it; both which I hope will be satisfactory, as they seem to leave the Matter in that State of Suspense which you wish it to remain, until the Board or yourself should have been advised of the Amount of the Treasure recovered from the Begums, and signified your further Pleasure.

“ The Nabob has concluded no Settlement whatever with the Begums, but left Fayzabad some Hours before me, without taking Leave of them, upon their Agents having agreed to complete the 55 Lacks, which appeared due to the Company upon the closing of my Accounts for the last Year, and the Begums declaring that this was the Extent of all their Possessions, including down to their Table Utensils, which they have, and are still delivering, and no Proof has yet been obtained of their having more. I shall, as you direct, use my Influence to dissuade his Excellency from concluding any Settlement until I have your further Commands.

“ I have the Honour to be, &c. &c.

“ Lucknow,
the 6th February 1782.

Nath. Middleton,
Resident at the Court of the Vizier.” (a)

Then the House adjourned to the Chamber of Parliament.

(a) Vide Appendix, N^o XXXVIII.

Die Jovis, 22^o Maij 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

Then it was moved that CHARLES PURLING Esquire might be called in, and being called in, he was examined as follows :

Q. (*by a Lord.*) Did not the Nabob of Oude write a Letter to you in 1780, in which he mentions that he had retrenched his Expences to a very considerable Amount ?

A. I do not recollect any particular Letter.

Q. Do you know whether the Nabob, in point of Fact, retrenched his personal Expences to any, and what Amount, in the Year 1780 ?

A. At the Time the Nabob represented his Distresses, I heard at least he had made many Retrenchments in his Expences, but I do not know to what Amount.

Q. From what you know of the Manners and Ideas of the Sovereign Princes in that Country, would they not, with great Reluctance, submit to retrench their Expences ?

A. I think that the Nabob of Oude would be reduced to much Distress before he would retrench his Expences.

Q. Do you suppose, that if the Nabob had had any other Means of paying the Debt to the Company, that he would have taxed the Jaghires of his Family ?

A. I do not imagine he would ; but he did not in my Time ; though he gave the Tuncaws, no Collections were made upon the Jaghires of his Family.

Q. Whether the Tuncaws that you speak of, were given upon all the Jaghires ?

A. Upon all the Jaghires, including the Family of the Nabob.

Q. Whether those Tuncaws, if they had been paid, must have been paid out of the Tuncaws assigned upon those Jaghires ?

A. There were Tuncaws assigned upon the Jaghires of the Begums, as well as the other Principalities of Oude, but no Collections were made upon the Jaghires of the Nabob's Family.

Q. You say no Part of the Payment was made out of those Tuncaws assigned upon the Jaghires of the Nabob's Family.

A. No.

Q. None of the Tuncaws made upon those Jaghires were in point of Fact paid ?

A. No Collection had been made upon the Jaghires of the Nabob's Family.

Q. Why were no Collections made upon those Tuncaws ?

A. Because the Begums would not pay them.

Q. Are there any Laws that you know of in Indostan respecting filial Obedience ; do they make it a Part of the Law of the Country, in any Manner you know of ?

A. I believe it is no more the Law of the Country than it is in this Nation ; it is the Usage.

Q. But according to the Usage of the Country, is it Part of the Morality of the Country ?

A. Most undoubtedly.

Q. Is it practised religiously ?

A. As much as in any other Country.

Q. At what Time did you reside there ?

A. One Year, from November 1779 to November 1780.

Q. During

Q. During that Time, was there any Thing you observed in the Conduct of the Begums indicative of Disaffection to the English Government?

A. Never.

Q. Did not the Begums always express to you, that their greatest Reliance was upon the English Government, against the Nabob and his Ministers?

A. I do not know that they ever told me so, or said any Words to that Effect; but they would certainly apply, if they thought themselves oppressed by the Nabob, either to the Resident, or to the English Government for their Interference.

Q. From the general Conduct of the Begums, are you not of Opinion they did place this Confidence in the British Government?

A. They did make Applications at different Times.

Q. Supposing they would be redressed in consequence of those Applications?

A. Yes.

Q. You have said there are Books of Records in India which you call Letter Books; whether you did not enter the Treaties delivered to you by the Nabob's Minister in them?—The First Treaty is that signed by Mr. Bristow to the Elder Begum.—The Second, that signed by Mr. Middleton to the Bow Begum. According to the Course of keeping the Letter Books you alluded to, and which you called a Record, ought not those Treaties to have made a Part of those Books?

A. If those Treaties had been completed, they would undoubtedly have been sent to the English Government at Calcutta, of Course they would have been entered upon the Letter Book.

~~The~~ The Question is, Whether the Treaties in the State in which they were, ought, according to the Course of keeping that Letter Book as a Record, to have made a Part of it?

A. If those Agreements between the Begums and the Nabob had been completed, they would have been sent to the British Government, and of Course they would have been entered upon the Letter Book.

Q. But as they were?

A. I have understood from Mr. Middleton's Evidence they were not completed; but I took them as complete Engagements.

Q. According to your Acceptation of them, they ought to have made a Part of the Letter Book; but supposing them to be what Mr. Middleton's Evidence represents, they would not have been upon the Letter Book?

A. They would not have been upon the Letter Book: That is the Distinction.

Q. You were ordered to resign all your Papers to Mr. Middleton; are all of them upon Record, or are any of them, to your Knowledge, suppressed?

A. You speak of my Time?

Q. Yes?

A. I do not know that any One Paper, during my Time, is suppressed: I believe that the Whole of my Correspondence is now at Lucknow: At least I do not know any Thing to the contrary.

Q. Whether you ever saw, upon Record, the Treaty concluded by Mr. Middleton in February 1779.

A. I do not know what Treaty is alluded to. I have not seen any Treaty upon Record.

Q. I mean the Treaty with the Bow Begum, under the Signature of Mr. Middleton?

A. I never have seen it.

Q. Recollect, whether you know any Thing of the Treaty alluded to, of October 1778, between Mr. Middleton and the Bow Begum?

A. I do not recollect any Thing of the Kind; if the Purport was told me, I might recollect Something of it.

Then a Paper was shewn to the Witnesses, and the following Question put to him:

Q. Have you looked at that Instrument?

A. Yes.

Q. Do you remember any Thing of the Transaction?

A. I do not recollect any Thing of that Treaty.

Q. What was the Custom of your Office, while you was Resident, upon the Receipt of any Persian Correspondence in any Matter of Consequence?

A. It is a Custom throughout the Country, and throughout the Service, that any Letters of Persian Correspondence which is received, that it shall be necessary to transmit to Government, is put

put under Cover in a Letter from yourself, and you put the Contents of it, after the Letter is translated, in your own Letter Book.

Q. You have said, after inclosing it, it is the Practice to put the Contents generally in your own Letter Book; whether the invariable Custom was to place a Translation, or the Persian Original, in it?

A. An English Translation.

Q. Whether in any Instance you ever caused an original Paper to be copied and left in Persian in the Office?

A. Not a Persian Paper ever in the Letter Book; the Moonshy, who is a native Translator, kept Copies of the Persian Papers.

Q. The Moonshy is one of the Servants of the Office?

A. Yes, one of the Servants of the Office.

Q. It was his Business to keep a Copy of the Persian?

A. Yes, of the Persian.

Q. And the English Resident's Business was to keep the English Translation?

A. Yes.

Q. (*Cross examined.*) Whether you yourself ever kept any private Copies, or Letter Book for your own private Use?

A. Copies of publick Letters.

Q. Did you keep Copies of the Correspondence while you was Resident?

A. I kept certainly Copies of publick Letters sent.

Q. But of Letters received?

A. Never.—I did not.

Q. What is it that you say you never kept a Copy of?

A. Of publick Letters received I never kept a Copy.—I kept the original Letters in ~~my~~ own Possession.

Q. Did you keep a Letter Book for your own private Use, of any Part of the Correspondence in the Office?

A. Never; I never kept a private Letter Book of publick Papers.

Q. The Question was whether you kept any Copies of publick Letters for your own private Use; do you say you never did keep any Letter Book for your own private Use, which contained any Translation of publick Correspondence?

A. Never; I have not.

Q. Whether the Copies of the Letters received, and the Inclosures so received, were kept in different Books?

A. I have said I kept no Copies of Letters received; I kept the Letters themselves, the original Letters I received either from the Board, or any Individual with whom I had publick Transactions, and of Course the Enclosures were deposited with the Letters.

Q. I understood you that the Practice of your Office was to keep the Original of all Letters received, the Letters themselves and the Enclosures; and that of those Letters you kept no Copy either in the Office or in private?

A. No.

Q. Then if it was necessary to transmit the Substance or Contents of publick Letters to Calcutta, whether the Originals were sent, or Copies of them?

A. I beg leave to correct myself with respect to the Persian Correspondence; if I had Occasion to mention any Transaction to the Board of Persian Correspondence, or Letters received from Individuals, of Course I entered them in my Letter Book.

Q. As Part of what you wrote?

A. As Enclosures.

Q. When you received Letters in the Course of your official Duty as Resident, and had Occasion to transmit them to Calcutta; did you transmit the Originals, or only Copies?

A. The Originals were deposited in the Office, and Copies sent to the Board with some Attestations.

Q. I would wish to know of the Witness whether you yourself ever was at Fyzabad, after you was appointed Resident?

A. I was at Fyzabad once in my Way to Lucknow, to take Charge of my Office.

Q. Had you any Conference at that Time, or any subsequent Time, with the Begums themselves?

A. My Visit was merely complimentary, I had none but a complimentary Conference.

Q. Was any other Application made to you, while you were Resident, upon any other Occasion than that you have mentioned respecting the Jaghires ?

A. I do not recollect any other Application.

Q. Then are we to understand that was the only official Transaction, which gave you an Opportunity of discovering the Sentiments entertained by the Begums, while you was Resident, towards the English ?

A. I do not know how to answer that Question distinctly, but I understood from their having applied to Mr. Middleton, and having got Treaties and other Circumstances, that they had courted the Protection of the English.

Q. Those were Transactions antecedent, and not during your Time ?

A. Yes.

Q. Whether it was not the Practice of the Office, when any Treaty was made with the Country Powers, in the first Place, that an Office Copy should be kept, then, that it should be numbered, and left in the Office, and the Original transmitted to Calcutta ?

A. If the Treaty was of that Consequence, as to require a Ratification of Government, of course I should send the Original to Calcutta ; if to be ratified by the Resident, he certainly would keep the Original in his own Office, and send off a Copy of it to the Government of Calcutta.

Q. Do you remember the Instruments delivered to you by the Nabob ?

A. I have already said, when they were delivered to me, I took them for good Engagements ; I grounded my own Conduct upon them ; that is, I sent a Copy of them to the Governor General and Council at Calcutta.

Q. Do you know the Number of the Nabob's Cavalry, during the Time you was there ?

A. No, indeed I do not.

Q. Do you know nearly ?

A. No, I cannot possibly tell.

Q. Do you recollect any Drought happening in the Country, while you resided there ?

A. There were constant Complaints of it the whole Year I was at Lucknow ; I do not believe we had Three Days Rain.

Q. Was that a remarkable Season ?

A. A very remarkable Season.

Q. So that there was a great natural Drought that Year ?

A. Yes, very much so.

Q. Did the Governor General and Council at Calcutta, ever blame you for having acted upon whole as existing Treaties ?

A. I have already said, they did not.

The Witness was directed to withdraw.

The Managers for the Commons acquainted the House, they would now proceed to some written Evidence relative to the Seizing of the Treasures of the Begums, and the consequent Cruelties.

Read, from Book 82, already delivered in, the following Extract of a Consultation of the 12th of June 1783, beginning at Page 252 of the same Book.

“ To the Honourable Warren Hastings, Governor General, &c.

“ Sir,

“ I had the Honour to address you under Date the 6th instant, informing you of the State in which I had left the Business at Fayzabad, and the Hopes I entertained of a speedy Completion of it ; permit me now to acquaint you, that, of the remaining Balance engaged to be made good by the Two Eunuchs Bahr and Jowar Ally Cawn, I have this Day had Advice of the Receipt of between Five and Six Lacks, which is now on the Way to Lucknow ; and the Residue I have every Reason to believe will be realized before this Letter reaches your Hands : So that I have now to repeat my Request, that I may as soon as possible be honoured with your final Commands respecting the Conduct it is your Wish should be pursued with the Begum and her Eunuchs.

“ The Services of Major Naylor's Regiment being required to the Eastward of the River Gogra, as well to support the Authority of the Nabob's Government in that Quarter, as to be ready to join in the Plan of Operations which may be determined on, in Obedience to your Commands, against Futty Saw, I have sent One Battalion of Major Gilpin's Regiment to relieve Major Naylor at Fayzabad ; which I hope you will approve.

" I have the Pleasure to inform you, that the 8th Regiment, which I left to escort the Treasure from Fayzabad, arrived this Day, and safely delivered its Charge. Upon its Arrival, I immediately dispatched to Colonel Muir the Sum requisite for the Payment of the Arrears due to his Detachment; I am now forwarding to Colonels Morgan and Sir John Cummins, the Amount for which they have called upon me, after which I shall lose not a Moment in remitting the Residue to the Presidency.

" I have the Honour to be, &c. &c.
 (Signed) Nath. Middleton,
 Lucknow, the 8th February 1783 *. Ref^t at the Court of the Vizier." (a) * See in Orig.

Read, also, the following Extract from the same Book, and same Consultation, beginning at Page 256 of the same Book.

" To the Honourable Warren Hastings, Governor General, &c.

" Sir,
 " Inclosed I have the Honour to forward your Addresses from his Excellency the Vizier and his Ministers.

" In Justice to the latter, it is incumbent upon me to inform you, that during the Progress of the Business at Fyzabad, I received from them the most willing and zealous Support; and that to their Exertions I consider myself greatly indebted for the complete Success which attended that Business, as well as for the Fruits of it being solely applied to the Liquidation of the Nabob's Debts to the Honourable Company.

" Under these Circumstances, it would afford me great Satisfaction, and, I conceive, tend to promote the publick Service, were they honoured with some Testimony of your Approbation and Favour, which would be particularly acceptable to them at this Period, as their Conduct in the Transactions at Fyzabad, and in the Resumption of the Jagheers, has excited the inveterate Resentment of the Begum, and many Persons of the first Consequence about the Court, whose Interests have been affected by the latter Measure, and created a far more powerful Combination against them, than they have ever before had to oppose. In short, Sir, they are considered, not only by this Party, but by the Nabob himself, as the actual Dependants of the English Government; which they certainly are, and it is by its declared and most obvious Support alone, that they can maintain the Authority and Influence, which is indispensably necessary to enable them to discharge the Trust reposed in them, either with Credit to themselves or Advantage to the Publick.

" I have the Honour to be, &c. &c.
 (Signed) " Nath. Middleton,
 Lucknow, the 11th February 1782. Ref^t at the Vizier's Court." (b)

Read, from Book 120, already delivered in, the following Letter, from the Governor General to the Vizier, dated 15th February 1782.

" To the Vizier.

Written 15th February 1782.

6. " I have received a Letter from Mr. Middleton, representing to me the Opposition which is threatened by the Begum to your Authority, in the Resumption of her Jagheer, and the Probability of the other Jagheerdars taking the Alarm, and, separately or collectively, attempting Resistance.—Besides these Apprehensions, a dangerous Spirit of Discontent and Rebellion, first excited by the Machinations of Cheyt Sing, exists, as Mr. Middleton informs me, amongst your Subjects. Under these Appearances of the Want of Obedience and due Respect to your Government, I cannot but feel great Anxiety for the Safety and Tranquillity of your Country, as well as for the Maintenance of your Authority and Dignity.—Should any Acts of Violence and Resistance follow these Appearances, it is to be feared that a foreign Enemy might be tempted by them to invade your Dominions: To obviate the Calamities of such a Situation, it appears to me indispensable, that the Malcontents should be prevented from becoming formidable, by an immediate Application of such a Force as may quell, at once, any Attempts that can be made by the disaffected, however numerous or united.—For this Purpose, I have directed Colonel Morgan to send a strong Detachment of Infantry and Artillery to Lucknow, with Orders to act as your Excellency shall direct, for the internal Security of your Country, and Support of your Authority.

" This Detachment you will understand to be no Part of the Brigade on constant Subsidy for the Defence of your Frontiers; it is formed from the Troops lately in your Pay, stationed at Futty Ghurr, and in Rohilcund, which I withdrew, to relieve your Excellency from a Burthen which you complained was too heavy for your Finances to bear; these Troops are at present

(a) Vide Appendix, N^o XXXVIII, Page 100
 (b) Vide Appendix, N^o ibid. Page 100.

an unnecessary Expence to the Company, and would be disbanded, but for the Dangers which at present threaten your Country. On these Considerations, your Excellency will allow it to be just and reasonable that the Charges of the Detachment should be entirely defrayed by you, and that the Company should be fully indemnified for all the Contingencies of keeping up a Force, on the Probability of its being wanted for your Service; on this I shall form an Estimate, with the strictest Attention to Justice, for a Subsidy to be paid Monthly during the Services of the Detachment, and transmit it, for your Approbation, to Mr. Middleton.

"I have directed Colonel Morgan to hold the Brigades, stipulated by Treaty for the Defence of your Frontiers, in Readiness to march at a Moment's Warning, and oppose any Attempts which may be made by a foreign Enemy.

"When I reflect on the uncommon and generous Instance of your Zeal for the Company, and Attachment to myself, manifested by the voluntary personal Assistance and Support which you afforded me at a Time of the greatest Danger to their Interests, and my own Safety; I cannot, without feeling the strongest Self Reproach of Ingratitude, dispense with giving to you, in a similar Situation, equal Marks of my Zeal and Attachment to your Person and Interests; and I should, on this Principle alone, fly to share your Danger, although it were not in my Power to remove it, especially as that Danger has been incurred by my Approbation of your Design to resume the Jaghires; but I have the strongest Hopes that I should be the Cause of facilitating a happy Termination of all the Difficulties which now oppose the Execution of your Measures, and of establishing your Authority and the Prosperity of your Country on the most solid Basis, by a personal Interview.—It was your particular Request at Chunar that we might meet Once a Year; and I, with the greatest Satisfaction, accepted your Invitation.—The present Conjunction appears to make it necessary to commence the Performance of this Promise; and although my Presence is required in Calcutta on the most urgent Business, I have determined to set out immediately by Dawk for Lucknow.

I flatter myself that this Interview will be productive of the most solid Benefits to the Affairs of ~~both~~ your Excellency and the Company; and as your Excellency is well informed of their Situation on this important Crisis, you will not suffer me to return to the Seat of my Government without finally obtaining the great Object of my Journey."

Read, the following Letter from the Nabob Vizier to the Governor General, received the 25th February 1782, from Book 105, already delivered in.

28. "From the Nawab Vizier,

Received 25th February 1782.

28. "You performed on every Occasion towards me whatever was becoming of Friendship; I too have done whatever Affection required, and you commanded; and in future also, whatever be your Pleasure, there shall be no Deviation therefrom, because whatever you direct is altogether for my Benefit. The Business for which I came to Fyzabad is become settled by your Favour; Particulars will become known to your Wisdom from the Writings of Mr. Middleton. I am grateful for your Favours. If in these Matters you sincerely approve me, communicate it, for it will be a Comfort to me. Having appointed my own Aumils to the Jagheers of the Lady Mother, I have engaged to pay her Cash; she has complied with my Views; her Pleasure is, that after receiving an Engagement, he should deliver up the Jagheers. What is your Pleasure on this Matter? If you command, it will comfort the Lady Mother giving her back the Jagheer, after I have obtained my Views, or I will have it under my own Aumils; I am obedient to your Pleasure."

Read, from the same Book, the following Letter from the Nabob Vizier to the Governor General, received the 26th February 1782.

N^o 31. "From the Vizier,

Received 26th February 1782.

31. "You have treated me with noble Tendernefs, and I have not in any Manner failed in the Care of Friendship, and whatever you command I know to be altogether for the bettering of my Affairs; and in the Treaty and Councils, and Arrangement of all Affairs, which became concluded for the Payment of the Company's Money, I also have the same Wish, that the Company's Money may be forthcoming; accordingly I have satisfied Mr. Middleton concerning Six Lacks of Rupees from the Lady Mother; and she having satisfied him with Cash, Jaidads, and the Revenues of her Jagheer, has produced Fifty Lacks of Rupees, the rest will be forthcoming in Cash, and the Revenues of the Jagheers; and I have made no Objection to yielding my own Districts for Jaidads; and I have written Shokehs to Aumils on the Subject of the appointed Horse and Foot, and of the Holders of Tuncaws. I have not in any Respect failed with Life and Property to the Blessing of your Pleasure; and I am determined, in like Manner, for the future also, that for my own Benefit, I will perform whatever you command. You wrote kindly, and in the Treaty, that my necessary Expences should be first taken, and I attended first to the Company's Business, to prepare the Money in any Manner. I delivered a written List of my necessary Expences to Mr. Middleton, at Chunar, before the Treaty: As I know the Payment of the Debt to the Company to be of prior Importance, I will put myself to Inconvenience; but I am helpless, from

from the Necessities of Human Nature. I hope that you will write to Mr. Middleton to delay Twenty-five Lacks of Rupees for the next Year; he may receive all the rest. I will provide the Twenty-five Lacks in the Year 1190 Fussullee, and do you give me the Sum of necessary Expence from the Jaidad of my Dominions."

Read, the following Extract of a Consultation of the 12th June 1783, from Book 82, already delivered in, beginning at Page 280 of the same.

" To the Honourable Warren Hastings, Governor General, &c.

" Sir,

" I have received the Honour of your Commands under Date the 27th February.

" I had carried the Original Treaty down with me, in Obedience to your Orders of the 19th December; but, having determined, upon Receipt of your first above-mentioned Letter, to return immediately to my Station, I have brought it back with me, and shall now forward it by the first safe Conveyance.

" These complete your Instructions; since which you have directed, as an additional Article, that the Nabob should be supported in his Claim upon the Bhow Begum, for the Inheritance of the late Vizier's Public Treasure. This has also been done; 45 Lacks have been recovered, and the Begum's Chief Agents are now under severe Restraint for the Remainder of what they engaged to produce.

" Trusting that from this Explanation you will be satisfied that I have done all that the Time I have had, and the Circumstances I have been under, would admit,

" I remain, with profound Respect, &c. &c.

" Lucknow,
the 25th March 1782.

Nath. Middleton,
Res^t at the Court of the Vizier." (a)

Read, from Book 29, already delivered in, the following Letter from the Board at Calcutta, to the Court of Directors, dated the 11th of February 1782.

" To the Honourable the Court of Directors for * Affairs of the Honourable United Company of Merchants of England trading to the East Indies. ~~_____~~ • Sic in Orig

" Honourable Sirs,

" 1st. In our last Letters from this Department, by the Swallow Packet, dated 29th December 1781, we informed you of the Detention of that Vessel for the Purpose of carrying home a complete Narrative of the Governor General's Proceedings while at Benares and Chunar, which we daily expected to receive from him; however, as the Length of this Paper, and the great Number of References annexed to it, made it impossible to send them down sooner than he did; and we found it would require a long while to copy them after their Arrival—we determined to dispatch the Swallow without them, judging that you would be impatient to hear from us on the Restoration of Peace in the Districts of Benares, and to receive the latest Accounts from Madras of the Situation of Affairs in the Carnatic.

" 2d. We determined at the same Time to dispatch the Nancy, Captain Hiffennan, with these Reports, as soon as they could be prepared; and we have now the Pleasure to transmit them to you, a separate Number in this Packet.

" 3d. The above Papers contain such a full Account of all the Transactions of the Governor General upon this Service, together with his Motives and Reasonings upon them, that we think it would be superfluous to add any Thing of our own in this Place, but to recommend them to your attentive Perusal, with our Minutes which are annexed. Conf. 14 Jan and 5 Feb.

" 4th. By these it will appear, that the Treachery and Intrigues of Cheyt Sing, supported by the Disaffection and restless Disposition of the Bhow Begum, Mother of the Nabob of Owde, at Fyzabad, produced Insurrections in that Country, which till lately we were unapprized of, on account of the Communication between that Place and Benares being wholly cut off.

" 5. At the same Time that the First Information of these Disturbances reached us, we were happy to hear that they had been quelled by the Accounts received there of the successful Efforts of our Troops in Benares, and the March of Two Regiments from Cawnpore to the Relief of Colonel Hannay, whose Sepoys gave evident Proofs, by their Desertion, that they had been tampered with, and he, with most of his Officers, were in great Danger of their Lives; a Detachment under Lieutenant Gordon having been actually attacked and cut off, and the rest of the Corps being surrounded by the Rabble, levied under Sanction of the Begum, avowedly for the Service of Raja Cheyt Sing.

" 6. The Circumstance of the Levies is further corroborated by various Reports from Fyzabad, and by the List of Cheyt Sing's Forces, delivered to the Governor General at Chunar, in which the Troops said to be come from Lucknow, which formed a Part of his Strength, must evidently be the same (since they agree in Number) with those which Colonel Hannay declares to have been raised and sent to him from Fyzabad.

" 7. The just Grounds of Suspicion which had been given to the Nabob by the Begums and other principal Jaghyrdars in his Country, by the Symptoms of Disaffection, and even Treachery, displayed in their Conduct, made it an Object of serious Consideration with him to take the First Opportunity which should offer, consistent with Justice, to dispossess them of the Means of becoming injurious to his Authority; and the Necessities of his Government requiring extraordinary Aid, he resolved to take this Occasion of depriving them of those extensive Jaghires which enabled them to become troublesome, by the Revenues which they yielded, and the Number of Dependants necessarily retained for their Collection and Defence, and to resume the Lands, allowing Pensions to the Jaghyrdars in lieu of the Revenues.

Vide No. 1 and
2 of the 1st
Part of the
Appendix to
the Governor
General's
Narrative.

" 8. As the Resident at Lucknow had been made Guarantee to an Agreement formerly executed between the Nabob and the Begum, in which he had engaged, for a specific Sum of Money, to desist from all further Claims upon her, it was necessary for him to acquire the Sanction of this Government to his Intention, before he could carry them into Execution, which the Infidelity of the Begum gave but too much Reason to grant.—You will find this Measure provided for in the new Treaty, concluded with the Nabob by the Governor General at Chunar, on the 19th of September last.

" 9. On the First Attempt made by the Nabob to carry this Plan into Execution against the Begum, she determined to resist his Authority, and raised a Revolt by the Means of her Eunuchs, Jewar Ally Cawn, and Bahar Ally Cawn, who had collected a Force of about 5,000 Men, in order to set the Nabob at Defiance.—Notice of this Second Insurrection having been transmitted by the Resident, without Loss of Time, to the Governor General at Benares, he immediately ordered a large Detachment to march from Cawnpore, and the Nabob resolved to go in Person to Fyzabad; on his Arrival there, by the Assistance of our Troops, he took Possession of the Kella; and the Eunuchs, seeing it would be in vain to make a Stand when superior Forces were expected, surrendered themselves Prisoners to the Nabob, and their Followers dispersed.

" 10. In order to punish the Begum for this daring Ill Conduct, and to put it out of her Power to apply the Treasures which she had amassed to the Purpose of raising further Commotions in his Country, the Nabob resolved to seize her Wealth, which by the Mahomedan Laws he was entitled to as an Inheritance from his Father, who in the latter Years of his Life had committed his Treasuries to her Charge, and it had remained with her after his Death.—This Wealth, whatever it might be, he determined to apply to the Payment of his Debt to the Company; and we have received Information from the Resident who attended him to Fyzabad, that he had actually paid him the Sum of 55 Lacks of Rupees in ready Money, and by Draft on Bahar and Jewar Ally Cawn, which would soon be realized." (a)

Read, from Book 83, already delivered in, the following Extract of a Consultation of the 5th February 1782, beginning at Page 263 of the same Book.

" Fort William, the 5th February 1782.

Secret Dept.
Tuesday.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, who being returned to the Presidency takes his Seat at the Board.

Edward Wheler, } Esquires.
John Macpherson, }
Sir Eyre Coote on Service in the Carnatic.

Extract Secret
Dept. Conf.
5 Feb. 1782.
* Fac sim.
Orig.

" The Governor General delivers in the following Minute, in consequence of that of the Board, entered on the Proceedings of the 14th * ultimo.

" The Governor General acknowledges his Obligations to the Board, for this repeated Instance of the liberal Manner in which they have been pleased to record their Judgment on his Conduct. Had it been expressed in the simple Terms of official Approbation, he should have been pleased, and satisfied that it had received so respectable a Sanction; but by tracing the Sources of it, in the Motives which he has avowed; by their Examination of those Motives with their relative Facts and Circumstances; and by the Doubts which they have anticipated and solved, on the Propriety of such Parts of his Conduct as might most obviously suggest them; they have justified their own Approval, and entitled him to expect the same favourable Sentiments in their common Superiors.

" Nor is he less pleased with the Reserve with which the Board have declared their Satisfaction in the Arrangement concluded by him with the Nabob Vizier; because he thinks it will be received as an Evidence of the Deliberation and Sincerity of their former Approval. He is willing to submit the Propriety of the Measure to the Test of its Success. The Resident has already informed the Board, that he had received of the Treasures of the late Vizier, left in the Charge of his Widow, and lately reclaimed by his Son, the Amount of the Bond granted by the latter for the Balance of the Year 1178, which ends in September 1780 of our Æra; and was in the actual Receipt of as much as would discharge the Balance of the last Year, that is, of the Year 1179.

(a) Vide Appendix, No LIV. Page 226.

The first of these Balances is 32,68,613. 11, the last 12,09,876. 9. 8. The Sum of both is R' 44,78,490. 4. 8. Owd Siccas. The Resident seems have understood this to be the Whole of the Nabob's Debt. There is a further Balance of 26 Lacks, which appears to have been by some means overlooked, or withheld from Mr. Middleton on the Transfer of his Office from Mr. Purling. A rectified Account, drawn to the latest Period, has been transmitted to Mr. Middleton, by the Accomptant General, which it is hoped will arrive in Time to prevent his stopping at the Receipt of the supposed Balance; and at all Events, the Profits of the resumed Jagheers ought to yield a Fund, more than sufficient both for the complete Liquidation of what may remain of the Nabob's present Debt, and to make up the Deficiency of the Assignments granted on his Revenue for the current Year, within the Course of it.

"The Governor General expects this Service from the Resident, and relies upon his Fidelity for the Performance of it. But in the Supposition of the Possibility of a Disappointment, he again offers his personal Services to proceed to Lucknow, on the first Symptom of such a Failure; and, with the Confidence which he feels in his own Influence, aided by the powerful Support of the Board, he will venture to promise, that he will not return with their Object unaccomplished. (a)

Signed at the End of the Consultation,

"Warren Hastings,
Edward Wheler,
John Macpherlon."

Read, the following Extract of a Consultation of the 14th January 1782, from Book 83, already delivered in, beginning at Page 189 of the same Book.

"Fort William, the 14th January 1782.

"At a Council; Present,

Edward Wheler, } Esquires.
John Macpherlon, }

Secy. Dept.

The Governor General absent on a Visit to the Northern Provinces.

Lieutenant General Sir Eyre Coote, K. B. absent on Service at Fort Saint George.

"The Board having already passed their Opinion, in Terms of the fullest Approbation, upon the Governor General's Conduct and Management in the Suppression of the Rebellion of Cheit Sing, and the Regulation of the Province and City of Banaris; they think it unnecessary to repeat their Opinion of those Measures. Extra Secret Consultations, 14th Jan. 1782.

"They cannot, at the same Time, but remark, that the Explanations which the Governor General has given in some Parts of his Proceedings, during his First Discussions with Cheit Sing, and subsequent to the Convulsion, are rather an open Avowal of the Motives that actuated his Mind, than the guarded Representations of a publick Officer, stating to his Employers the Measures which an extraordinary Situation influenced, dictated, and justified.

"To a liberal and candid Tribunal, such was the natural, and certainly the wisest Appeal. The Generosity and Justice of a British Tribunal looks more to the real Motives and Zeal of their Agent, than to the preconcerted Artifice of his Conduct, or the legal Discriminations of his Defence. Even where a publick Measure is unsuccessful, the Responsibility risked by the Agent, (if risked upon publick Principles), is frequently his Justification, and in many Cases entitles him to Applause.

"In these distant Dominions the ruling Servants of the State, attend more to those Rules and Forms which protect from Responsibility, than to an ardent Pursuit of the publick Interest; under every private Risk, the Hands of Administration may secure themselves against Condemnation, even though the Country should be lost through their Mismanagement.

"It was not by avoiding personal Responsibility that the Servants of the Publick established the British Influence in Asia; nor is it by such cold Precautions that our Power is to be maintained, especially at an Hour of general Hostility against us. The Board are led into these Observations, from an ingenuous Consideration of the Difficulties in which the Governor General found himself involved at Benaris, and a Conviction of the Motives under which he acted. The first were surmounted with Ability and Fortitude; the latter they most sincerely believe do him real Honour.

"Easy would be the Task to approve the Suppression of the Rebellion, and to stand disconnected with any Responsibility, by justifying those Acts which certainly precipitated the Storm from the Cloud in which he had gathered; Acts which Judges at a Distance, Judges unoppressed with the actual Embarrassments of this Government, may, with great Speciousness of Argument, condemn. But the Board wish not, they cannot permit themselves to proceed so disingenuously or guardedly. They are at the same Time aware, that in a rigid Investigation of the Whole of this Business, the following Questions will be asked.

"1st. Where were the Governor General's particular Instructions for such extraordinary Demands upon Cheit Sing?

“ 2dly. Why was that Chief put in Arrest, when he offered to make every Concession ?

“ 3dly. Whether there was not a Compact between him and the Company, which specified, that he was only to pay them a certain annual Tribute ?

“ Subsequent to the Massacre of our Troops, and the Events that followed, no Questions will be asked.

“ In answer to the First Question, the Board think the Governor General was fully authorized by the general Tenor of his Instructions. The Governor General, having a deciding Vote, could have written out and approved more particular Instructions. There was a Delicacy in the Mode he preferred ; and it imposed a greater Responsibility.

“ In regard to the Second Question, it is evident, from Cheit Sing's Answers and Preparations, and the whole Tenor of his Conduct, before and at the Time, that nothing but Arrest could have convinced him of the Governor General's Determination.

“ That the Arrest was not intended to proceed farther than the Payment of a proper Fine to the Company, who stood in the Place of his Sovereign and Benefactors, is evinced by the Governor General's Answer to Cheit Sing after his Confinement.

“ Had a total Revolution in the Administration of the Zemeedary been intended, the Arrest must have been affected with more Force, and greater Marks of Severity.

“ That the Officers who went to execute this Service were convinced, that no Measure of determined Severity was intended against Cheit Sing, appears from that unfortunate Want of Precaution which cost them and their Followers their Lives.

“ The Third Question involves much Argument, yet is fully answered by that Part of the Governor General's Narrative, which discusses the Sunnud under which Cheit Sing ruled the Provinces, and which was so liberally granted by the Company.

“ The Correspondence with the India States, shews clearly their Ideas of the Rights of Zemeedars and Rajahs protected in their Zemeedaries by a superior Power. Had Cheit Sing been an Ally Sovereign Prince, who paid only a fixed Subsidy, his Military Preparations, and his insidious Conduct, under Pretences of Poverty, in disappointing the Expectations of the Government from the Army under Major Camac, justified, together with his Correspondence with our Enemies, the severe Exaction of Aid to assist the Company in their Distresses, and atone for his Ingratitude and Treachery to a Power who protected him, and to whom he owed his Situation.

“ On the Subject of the Treaty concluded on the 18th of September last, between the Governor General and the Nabob Vizeer, and which the Difficulties of the Communication prevented the Governor General from explaining so fully before, the Board have to observe, that the Treaty is evidently a political Expedient, which forfeits no Advantage, which promises the Acquisition of many, and which, properly managed by this Government (as Events favourable, or even unfavourable, arise), may lead to the final and complete Arrangement of an Alliance with the Vizeer. Such an Alliance, being less oppressive to him, may be more advantageous and honourable to the Company, and may remove that too general but dangerous Impression, which the different States of this Country have received from the double Character in which we have hitherto appeared in India—that of Allies and Conquerors.

If the Nabob Vizeer should not be able, under the Support of the Troops of this Government stationed at Cawnpore, to maintain the Tranquillity of his Dominions, and collect those Resources which are necessary to defray even his reduced Expences, and discharge his heavy Debt to the Company, a new Arrangement must follow ; and that Arrangement necessarily, at the express Request of the Vizeer, will secure every Advantage that can be wished or expected from his Provinces by this Government.

The Reduction of that heavy Burthen of Expence, which was once oppressive to the Vizeer, and of no Return to the Company (though a Source of Patronage to this Administration), the Board approve of most heartily ; and, with a full Sense of the Credit which a Measure of such Difficulty and Unpleasantness reflects upon the Governor General, they take this Occasion of pledging to him and to their Employers their utmost Support, not only in this, but in every other Branch of public œconomical Reformation, which he may propose.

“ Upon the Return of the Governor General, the Board resolve to discuss with him those Parts of the Treaty, which carry the Appearance of a hasty Agreement. The Difaffection of many of the Vizeer's principal Jagheerdars, and the Steps which, from the Representations of Colonel Hannay and other Officers, appear to have been rapidly taken by the Begums, to support the Rebellion of Cheit Sing, were probably very early known to the Governor General, and through the Medium of all the Suspensions that his Situation, at the Time he met the Vizeer, had naturally created.

“ At such a Moment, and under such Suspensions, and even while the Issue of the Contest of Cheit Sing was depending, it is not surprizing that some Parts of the Agreement between the Governor General and the Vizeer were speedily adjusted, and, as the Governor acknowledges, in Conversation at the First Interview.

“ A short Time will satisfy the Board, whether the Vizeer is willing or able to fulfil his Part of the Treaty : If he is that, and the Company can recover their Debt from him in the present Emergency and Distress of their Affairs, the Board cannot then but agree, that the Governor General has acted in the Arrangement not only with Zeal, and the best publick Intentions, but with a masterly

masterly Decision, that must entitle him to the grateful and complete Approbation of his Employers.

"It remains with the Board to concert with the Governor General, upon his Return, those Measures that may secure this Government from any future Inconveniencies or Distress that can be supposed connected with the Confidence reposed in the Vizeer, for the Administration of the Affairs of his Revenue and Military Establishment." (a)

[This Consultation not signed.]

Read, the following Extract of a Consultation of the 12th of June 1783, from Book 82, already delivered in, beginning at Page 307 of the same Book.

"To Mr. Nathaniel Middleton, Resident at Lucknow.

"I have received your repeated Assurances, addressed to myself and to the Board, that the Nabob's Debt to the Company should be completely discharged by the Close of the Year. In my Fears for a Disappointment in this Expectation, and in the contrary Belief, that in its actual Train the Debt is more likely to exceed the Amount at which it stood the last Year, than to be paid, I hereby apprise you, that if at the End of the Fustellee Year any Part of it shall remain in Arrears, I shall move the Board to call upon you publickly to account for it; and, that you may know that this Declaration is not made on light Grounds, I shall enter a Copy of this Letter upon the Company's Records. It will do you no Injury, if you disprove the Justice of my Suspicions by the Effects of your Exertions.

"I have written to Hyder Beg upon the same Subject, and intended to refer you to his Letter for my fuller Sentiments, but I shall not have it ready for Dispatch for this Post." (b)

I am, Sir, &c."

[N. B. No Signature.]

Read, the following Letter from the Governor General to Hyder Beg Khan, dated the 15th of August 1782, from Book 120, already delivered in.

"To Hyder Beg Khan.

Written the 15th August 1782

"When I prevailed upon the Nawab Vizier to commit the entire Charge of the Revenues and the Administration of his Finances to his Ministers, of whom you are the acting and responsible Person, with the Concurrence of the Resident, Mr. Middleton, I had so firm a Reliance on your Integrity, Diligence, and Abilities, which are universally known, and no less on the same Qualities of Mr. Middleton, that I departed with a Mind perfectly at Ease, expecting that Order would be restored to the Nawab's Affairs, capable and trust-worthy Aumils appointed to the Superintendence of the Districts, the Forces duly stationed for the Security of Peace, and the Confirmation of the Authority of the Sircar, and that the past and growing Debt of the Company would be completely discharged in the Course of the Year, and that I should receive the Thanks of the Nawab your Master for the Effects of my Solicitude for the Support of his Dignity and Ease. The Event has proved the Reverse of these Hopes, an Accumulation of Distress, Debasement, and Dissatisfaction to the Nawab, and of Disappointment and Disgrace to me. Every Measure which he had himself proposed, and to which he had solicited my Assistance, has been so conducted as to give him Cause of Displeasure; there are no Offices established by which his Affairs could be regularly conducted; mean, incapable, and indigent Men have been appointed Aumils of the Districts, without Authority, and without the Means of Personal Protection; some of them have been murdered by the Zemindars, and those Zemindars, instead of Punishment, have have * been permitted to retain their Zemindaries with independent Authority; all the other Zemindars suffered to rise in Rebellion, and to insult the Authority of the Sircar, without any Attempt made to suppress them; and the Company's Debt, instead of being discharged by the Assignments and extraordinary Sources of Money reserved for that Purpose, is likely to exceed even the Amount at which it stood at the Time in which the Arrangements with his Excellency were concluded. The Growth of these Evils was early made known to me, and their Effects foreboded in the same Order and Manner as they have come to pass" (c).

* Sic in Orig.

The Managers for the Commons acquainted the House, that, before they proceeded to the Subject of the Cruelties exercised to compel the Begums to deliver up the Treasures, they wished to ask a few Questions of Sir Elijah Impey.

Accordingly SIR ELIJAH IMPEY was called in:

Then the Managers for the Commons requested, that several Passages in the Minutes of Evidence might be read.

(a) Vide Appendix, N^o LIII.
(b) Vide Appendix, N^o XXXVIII. Page 109.
(c) Vide Appendix, N^o LXXXII.

The same were read by the Clerk, and are as follow :

" The Managers for the Commons stated, That as the Witness spoke from imperfect Recollection, and which Recollection seemed not to tally with his former Evidence, where he likewise spoke from Recollection of those Letters in Question, they could not but express a Doubt of the Accuracy of such Recollection, and a Wish therefore to see the Letter.

" Then the Witness requested, that his former Examination, before the Committee of the House of Commons, might be read from the Minutes of the Committee, as far as related to the Subject at present under Consideration, that it might appear whether there was any Difference between his Evidence there and that now given by him at the Bar ; and that he might explain the same, if any should be found." (a)

" Then the Managers for the Commons being asked, Whether they had any Objection? made answer, That they had none." (b)

" Then the Managers for the Commons acquainted the House, That the Minutes were come, if the Witness wished to have them read.

" Then a Book, intituled, " Minutes of the East India Judicature Committee 1782-3, N^o 3," was delivered in.

" Read, the following Extract, beginning at Page 19 of the said Book." (c)

The Managers for the Commons stated, That they had troubled the House with the above Extracts, to shew, that what they were about to do, was not without Precedent; and desired the following Question might be put to the Witness :

Q. Whether you would wish to clear up any Contradiction there may happen to be, between the Evidence you gave before the House of Commons, and the Evidence you have given at this Bar?

A. Yes, certainly.

Read, the following Extracts of the Evidence of Sir Elijah Impey, in the House of Commons, taken before a Committee of the whole House, on the Articles of Charge of High Crimes and Misdemeanors presented to the House against Warren Hastings Esquire, from the Minutes of the said Committee.

" *Veneris, 2^o Die Februarii, 1788.*

" What was the Nature of the Communication you verbally made to Mr. Middleton at Lucknow?

" Mr. Hastings gave me very short Notes in Writing, relative to the Subjects he wished me to mention to Mr. Middleton.—I thought I had preserved the Paper, but after having looked for it with great Diligence, I am not able to find it: I have two Papers of short Notes in Mr. Middleton's Hand, which he delivered to me when I left Lucknow. These I verily believe to be on the Subjects he wished me to talk on with Mr. Middleton; upon looking at them, I see Mr. Middleton must have added something of his own, but the most material I can supply by Memory.

" You will understand that the Question relates to the Subject of the Begums, and before you speak from these Memorandums, you will answer the Question—What was the Communication you made to Mr. Middleton at Lucknow, respecting the Begums, as the Pleasure of Mr. Hastings?

" That I considered as the most material Part of what I communicated to Mr. Middleton; but in order to make that intelligible, it will be necessary for me to state to the Committee, what had previously passed between me and Mr. Hastings, I think at Chunar, either at Benares or Chunar, but I think at Chunar, as it will explain to the Committee the Whole Rise and Cause of the Demands made upon the Begums. Mr. Hastings stated to me the Embarrassment of his Situation, he had failed of his Object at Benares, a Revolution had succeeded, he was defeated, from the Insurrections in the Country, from proceeding to Lucknow; he stated (the Facts I do not take upon me to verify) that the Begums were in actual Rebellion against the Nabob Vizier; he told me that his whole Credit depended on the Execution of the Treaty of Chunar; that he feared, from the Calmness of the Temper of Mr. Middleton, that he would not sufficiently urge the Execution of that Treaty. It had been proposed that I should have proceeded as far as Illahabad, as a central Place,

(a) Vide supra, Page 566.

(b) Vide supra, Page 567.

(c) Vide supra, Page 571.

for the Purpose of taking the Depositions alluded to. He afterwards requested me, for the Purpose of inducing Mr. Middleton to procure the Execution of that Treaty, to proceed to Lucknow—In that Conversation this passed; and I will not take upon me to say (for I mean to give the Committee the most candid Information in my Power) whether the Idea of the Confiscation of the Effects of the Begums originated from him or from me—It certainly originated in that Conversation. This I perfectly remember to have said to Mr. Hastings,—When you communicated to me in Calcutta your Intentions with regard to Cheyt Sing, I declined giving you any Opinion at all, because I could not take upon me a sufficient Knowledge of the Laws of the Country to advise whether that Act was legal or not.—But with regard to the Begums, I told him (and if I was wrong, I trust to the Candour of the House, that they will impute it to an Error in Judgment) that if the Facts he stated were true, namely, that the Begums were in actual Rebellion, I considered it to be necessary to the Existence of the Government of the Nabob Vizier, that he should have the Power of taking from his Subjects in Rebellion, those Treasures which enabled them to support their Rebellion.—I wish to be understood, though I believe the Facts to be true, that I by no Means assert them to be so, being not a Matter within my own Knowledge.—I am now going to answer the Question—I understood Mr. Hastings to adopt the Reasoning, and this he desired me to communicate to Mr. Middleton, which I did—relating to him the Whole which had passed between Mr. Hastings and me on that Subject, and Mr. Hastings's Inclination to carry Measures into Execution for the Confiscation of their Effects.

“ Did this Conversation with Mr. Hastings happen immediately preceding your going to Lucknow ?

“ Almost immediately before I went to Lucknow.”

The Counsel for the Defendant desired to enter their Protest against this Proceeding being admitted as a Precedent; it being an indirect Mode of doing what the House had already declared, upon the Examination of a former Witness, should not be done; though they had no particular Objection to it in this Instance.

Read, also, the following Extract from the same Minutes.

“ You having stated to the Committee that Mr. Hastings had informed you, previous to your setting out to Lucknow, that the Begums were in a State of actual Rebellion, did you find that to be the Fact upon your Arrival at Lucknow ?

“ The Begums did not reside at Lucknow. At Lucknow I could no more have a personal Knowledge of it than at Chunar; but I was advised at Chunar to avoid Fyzabad in my going to Lucknow, because the Begums were in Rebellion; and I was advised by every Body at Lucknow to avoid Fyzabad at my Return to Chunar, for the same Reason: Of my own Knowledge, I know nothing of that Fact. From thence I collect it was the Sense of every Body at Lucknow, that the Begums were then in Rebellion; and Colonel Hannay, especially, mentioned to me several Facts concerning their Rebellion.”

Read, also, the following Extract from the same Minutes.

“ Then the Nabob never mentioned to you, that his Parents were in actual Rebellion against him ?

“ He certainly never did; but it is not to be inferred from thence that they were not, as we had no Conversation upon the State of the Country, of the Treaty of Benares, or of any of the preceding Transactions.”

Read, also, the following Extract from the same Minutes.

“ Whether you did not advise Mr. Hastings to prevail on the Nabob to resume the Jaghire and ~~seize on the Treasures~~ of the Begums, on a Supposition that the Begums were in Rebellion ?

“ I advised Mr. Hastings to that Measure, if the Fact was true that the Begums were in Rebellion—how that Fact was to be ascertained I did not pretend to advise. Whether public Notoriety was sufficient according to the Laws, I was not conversant—it might. The Fact being ascertained, I thought the Right to confiscate followed.

“ Did you not think that in giving Advice, which must be attended with Consequences so fatal to the Fortune and Character of Persons of that Distinction, you ought to have advised also remarkable Care in the Ascertainment of the Facts ?

“ I gave my Opinion on an abstract Proposition. There is no Man of common Sense or Justice but must think that Facts must be sufficiently ascertained before they are acted upon.

Read, also, the following Extract from the same Minutes.

“ Was you bound byny Duty whatsoever to intermeddle in that Affair ?

“ I was

" I was not by any other Duty but the Duty of a Man; and Mr. Hastings was then in such a Situation, that I should not have acted with common Humanity, if I could have given him Assistance and had refused it.

" What was Mr. Hastings's Condition at that Time?

" I have before stated to the Committee what Mr. Hastings had himself said of his Situation. The Company's Affairs were at that Time to all Appearance in a very ruinous Condition: To retrieve the Condition of the Company, was the professed Object of Mr. Hastings in going up the Country; his principal Objects were Resources from Benares and Oude. At Benares he had been defeated of his Purpose: a horrid Massacre had taken Place there—a Revolution had taken Place at Benares—Mr. Hastings was lately released from a Confinement in the Garrison at Chunar—the whole Country of Oude had been in Arms, and Part of it was still so—he was likewise defeated in his Purpose of going up to Oude, having obtained nothing for the Company—he had incurred great Responsibility from the Events that had happened.—That was the State Mr. Hastings was in, which I conceive to be that of real Distress."

Then the following Question was put to the Witnesses.

Q. (*from the Managers.*) Whether the Answers which have been read to you, contain an accurate Account of the Conversations you had relative to the Begums with Mr. Hastings, and to the Part which you took in the Transaction, or whether you wish to clear up any Differences between that Account and the Account you have given at this Bar?

A. I believe the Conversation is accurate, with this Distinction only, that at the Time I delivered that Evidence, I perceive I did not make the Distinctions of the Time when I understood the Begums to be in actual Rebellion; the Proposition that I advanced to Mr. Hastings was exactly the same, whether the Begums were then in actual Rebellion, or whether they had been before in actual Rebellion; I had looked over, before I gave my Evidence in the House, some Letters that I had received from Mr. Hastings, and which Letters I delivered in to the House of Commons; upon looking over those Letters I perceived, that the Begums were not at that Time in actual Rebellion, because one of Mr. Hastings's Letters referred to Troubles at Oude, which he said he hoped would be totally pacified by the Nabob's going to Fyzabad; the Nabob had then been at Fyzabad. I do not, upon Recollection, know of any other Variance in my Evidence. I have not seen the printed Evidence, and therefore if any is pointed out to me, I will, if I can, reconcile it; if not, I will say it is not to be reconciled.

Q. Whether you do not perceive, that in this Evidence you Five several Times state the Begums to have been then in actual Rebellion?

A. I certainly have observed in hearing the Evidence now, that it does go upon the Idea of the Begums then being in actual Rebellion, but I am as certain likewise that that must have proceeded from Mistake.

Q. How comes it to pass, that your Memory is fresher and better on the Subject now, than it was a Twelvemonth ago?

A. I do not think my Memory much fresher upon the Subject, than it was a Twelvemonth ago; but some Matters have occurred to me, that make me recollect it better: One was, a Letter I received from Mr. Hastings; the other was, my Proposition and Intention to have gone round to Lucknow by Fyzabad, and when I was at Lucknow, enquiring whether I could return by Fyzabad: If my Idea had been, that there was an actual Rebellion at Fyzabad, it would have been impossible for me to have gone there, either in my Way to Lucknow, or in my Way back.

Q. Whether you did not know of the Circumstance, of your having offered to go round by Fyzabad, when you made this Answer in the House of Commons?—" I was advised at Chunar, to avoid Fyzabad, in my going to Lucknow, because the Begums were in Rebellion;"—and you state it as one of the Reasons why your Memory is better upon the Subject, now that you recollect having offered to go through Fyzabad?

A. Yes; and I certainly did not, then; because I did not see the Consequence of making the Distinction between the Begums being then actually in Rebellion, and the Troubles not having totally ceased.

Q. Whether it is your Rule, in making an Answer, to consider the Consequences first, before you reply to the Fact?

A. Undoubtedly it is; but the attending to the Consequences never has that Operation upon my Mind, that will make me depart from the Truth.

Q. Whether you have not been in an Error, with respect to the Fact, in these Five several Answers upon the Fact?

A. I have certainly been in verbal Error, with respect to them.

Q. You have stated Two Reasons why your Recollection is more accurate now; the one your Recollection of having offered to go round by Fyzabad; the other Reason is, your having adverted to a Letter which you had received from Mr. Hastings; whether you had not adverted to that Letter, and, in Fact, given in, that Letter to the House of Commons before you made this Answer?

A. I

A. I certainly had delivered it, but I had not adverted to it; I had delivered it in. At the Time I received the Notice to deliver in the Letters to the House of Commons, I received the Notice about Ten o'Clock the Night before I was examined; my Papers were bound up in Fourteen Volumes, and I had that Night to examine all my Papers, to see how they related to the Matter before the House of Commons. I did look over my Papers, and I presented them the next Day to the House of Commons.

Q. How did it come to pass, that you did not advert to the Letter while you had it, and did advert to it after it was out of your Possession?

A. Before I was examined here, I looked into the printed Evidence of the House of Commons, where these Letters were. I thought it right to look into it, to refresh my Memory, before I gave my Evidence here."

Q. Whether you know that the Affidavits contained in Mr. Hastings's Narrative, are actually the same Affidavits you took at Lucknow?

A. Before I answer that Question, I would beg leave to give another Reason why I could not understand, though it was so expressed, that the Begums were actually in Rebellion; because I understand I refer to Accounts that I received from Major Hannay, as a Reason why I did not go round by Fyzabad; the Accounts from Major Hannay must have been of a Rebellion which had passed, and not of One then actually existing; that being Major Hannay's Account with regard to the Affidavits: I can by no means take upon me to say, that they are the same Affidavits: I believe they are the same.

Q. Where was Colonel Hannay at the Time you received those Accounts from him?

A. Colonel Hannay was then at Lucknow; they were Accounts in Conversation.

Q. Was it not competent to you to recollect those Accounts in Conversation when you was examined before the House of Commons, as well as afterwards?

A. It certainly was; and I ought to have altered that verbal Mistake, undoubtedly; and, if I had adverted to it, upon that very Ground I should have desired to have had it altered.

Q. Then, in Fact, you had no written Accounts from Colonel Hannay to refer to, to refresh your Memory?

A. I certainly had the Affidavit of Colonel Hannay, which I might have referred to at the Time I was at Lucknow; but what I refer to is a Conversation, because I did not read the Affidavit of Colonel Hannay.

Q. You did not then recur to the Affidavits?

A. I certainly did not recur to the Affidavits, but I have read every Affidavit since I was here last; and the Reason was, that so many Observations were made upon my not having read them the last Time I was here: and I beg to take notice of a Circumstance which I should not have given in Evidence if I had read them, and that is, that I believe the Witnesses had been introduced to me either by Mr. Middleton, or Mr. Johnson; I thought that had been the Fact till I heard Mr. Middleton contradict it in his Evidence: upon looking over the Affidavits, I find that all the Affidavits of the Natives taken before me were either Affidavits of People in the Army, or of Moonshys, or of People attached to the Officers in the Army; for which Reason, I now believe those Persons were either introduced to me by Colonel Hannay, or some of his Officers.

Q. Then, from this Answer, I collect, it was the Sense of every Body at Lucknow, that the Begums were then in Rebellion; whether you, in this Answer, allude to the Conversation with Colonel Hannay, at Lucknow?

A. The same Mistake certainly runs through the Evidence, in the Word "then;" undoubtedly it does; it was certainly a Mistake; but I will take upon me to say now upon my Oath, that what I then understood was not an actual Rebellion at the Time, but a Rebellion which had passed, and I could not possibly have understood it as an actual Rebellion at the Time, if I had adverted to the Facts I have mentioned.

Q. Whether the First Circumstance that led you to advert to this Mistake was not the being asked why, when the Begums were in actual Rebellion, you should have offered to go through Fyzabad?

A. It certainly was not.

Q. Did you ever shew, in the House of Commons, or any where else, or express any Consciousness of having made a Mistake, till that Question was asked?

A. I do not recollect when that Question was asked; but now, when I came to be examined here, my Recollection certainly was such as I have delivered in Evidence before the Court.

Q. How did it come to pass that, previous to your Examination here, you recurred to the Evidence before the House of Commons, to refresh your Memory, from which you could not receive Information, and not to the Affidavit of Colonel Hannay, from which you might receive Information?

A. What I said was this, that being to be examined before this Court upon the same subject Matter as I was examined upon before the House of Commons, I looked to see what I had said before the

House of Commons; I had not in the House of Commons given any Evidence of what was in any Affidavit.

Q. What Part of your Evidence before the House of Commons reminded you of this Mistake?

A. I do not remember there was any Part of the Evidence before the House of Commons that did remind me of this Mistake.

Q. Why have you stated, that it was in consequence of your recurring to the Evidence before the House of Commons, that you discovered your Error?

A. I have not so stated; I believe I have stated no such Thing.

Q. That is a Matter of Fact; it is unnecessary to refer to the Question. The Witness is positive he has not said it?

A. I think I have not; I should be glad, if I have said it, to hear it read.

Then the following Questions and Answers were read by the Clerk. (a)

Q. Whether you had not adverted to that Letter, and given in that Letter to the House of Commons, before you made this Answer?

A. I certainly had delivered it, but I had not adverted to it, I had delivered it in. At the Time I received the Notice to deliver in the Letters to the House of Commons, I received the Notice about Ten o'Clock the Night before I was examined; my Papers were bound up in Fourteen Volumes, and I had that Night to examine all my Papers, to see how they related to the Matter before the House of Commons. I did look over my Papers, and I presented them the next Day to the House of Commons.

Q. How did it come to pass that you did not advert to the Letter while you had it, and did advert to it after it was out of your Possession?

A. Before I was examined here, I looked into the printed Evidence of the House of Commons, where these Letters were. I thought it right to look into it, to refresh my Memory before I gave my Evidence here."

Then the following Question was put to the Witness:

Q. Then you refreshed your Memory with it before you gave your Evidence here?

A. I have not said I refreshed my Memory from that Letter with respect to the Circumstance of the Rebellion, and I do not remember that I did. I do not remember that the Circumstance had struck me. There certainly is a Variance, but it certainly did not strike me when I read that Letter.

Q. You have now stated, you do not know that those Affidavits are the same?

A. I cannot take upon me to say those Affidavits are the same: I delivered all of them as taken, to Mr. Hastings, but I do not recollect whether they are the same.

Q. Do you recollect the Number of Affidavits you took at Lucknow?

A. I do not at all recollect the Number I took at Lucknow; all I took at Lucknow, I delivered to Mr. Hastings, and, I think, upon looking over them in the Appendix to Mr. Hastings's Narrative, there appears to be about Eight or Nine.

Q. Then your Answer is, That you know nothing of the Number but from now looking over them?

A. Since I was last examined: At that Time I had never looked at them.

Q. You looked at the Tops and the Bottoms?

A. I certainly did; and this Gentleman was the Occasion of my looking at the Tops and the Bottoms.

Q. I think it is worth recurring to his former Evidence; he has given the Reason for not looking at the Affidavits, and since then he says he has?

A. I have given the Reasons why I did that then. I did not intend to do it, but so many Observations were made then, that I was determined, if I was called again, to do it. I know of no Reason why I should have avoided it, and I should be glad if any Thing were pointed out to the House that would be a Reflection upon my Reputation for not doing it; and why I should say I had read them, if I had not read them, I cannot conceive.

Q. But, now that you have looked them over, and do know what they contain, Do you recollect whether those Affidavits which were in Persian, or Hindoo, or the Moorish Language, were explained to any One of the Deponents who swore them?

A. If confined to Lucknow, I am pretty certain they were not—there certainly were others taken at other Places, that were. The Reasons why they were not at Lucknow, were these: First, that the Witnesses all brought them themselves ready drawn; the other was, that I had no Interpreter with me: many of the Affidavits were taken at Chunar, and other Places, where the Affidavits were not first drawn, and I had an Interpreter.

(a) Vide supra, Page 840-1.

Q. What Witnesses brought those Affidavits ready drawn ?

A. I cannot possibly recollect what particular Witnesses brought the Affidavits ; but, according to the best of my Recollection, all the Affidavits sworn at Lucknow, were brought by the Persons who swore them ; there are, I believe, some of the Officers here, with whom I have had no Conversation. I have seen a Mr. Gordon, and a Mr. Williams ; and it is very possible they may give an Account, whether they or Colonel Hannay introduced them. I see them present in Court ; I have not asked the Question, and I do not know how it will turn out.

Q. Had you any Means of knowing, whether the Deponents, in the Persian or the Hindoo Language, understood any Thing of the Depositions which they gave ?

A. I certainly had no more than this, that they themselves delivered their Affidavits.

Q. Do you mean, that they brought you the Papers, and put into your Hands ; and that that was the Whole of the Ceremony that passed ?

A. The Affidavits were sworn, therefore there certainly must be more Ceremony than simply delivering the Papers into my Hands.

Q. Is there the Signature of any Witness, that they were sworn ?

A. If I look into the Book, I can tell ; but I certainly either saw the Persons write or make their Marks.

Q. How were the Hindoos sworn ; and by whom ?

A. The common Method of swearing a Hindoo is, that a Bramin brings a Brass Basin, with the Waters of the Ganges, into which the Hindoo dips his Hand, and takes the Oath : That being the Manner in which the Hindoos are sworn, I verily believe, every Hindoo that was sworn before me, was sworn in that Manner. They were sworn before me, and I do not know of their being sworn by any Body else : I have sworn a great Number of Hindoos in my Time, and I have always sworn them in the same Manner. I think I may take upon me to say, there was no Variation in the Solemnity ; I cannot speak particularly to the Solemnity ; but I certainly took their Affidavits in the same Manner as I took them upon other Occasions.

Q. Do you mean to say, that, according to your Recollection, you are sure those Hindoos, who were sworn to those Affidavits, were sworn in the Manner you describe ?

A. I do, and upon this Ground ; that I am very certain I would not have sworn a Hindoo in any other Manner. I do not do it from a precise Memory that any Hindoo was sworn ; possibly no Hindoo was sworn ; possibly that is what is meant by the Question—that no Hindoo was sworn. I will not take upon myself to say that any Hindoo was sworn ; only, that if a Hindoo was sworn, I should have sworn them so.

Q. Then, with respect to the Fact, your Recollection is not positive.

A. This I mean to swear, and this only, that I verily believe upon the Ground that I would not have sworn a Hindoo or a Mussulman in any other Manner than that in which Hindoos or Mussulmen are generally sworn, that all the Papers which purport to be Affidavits, and which I delivered to Mr. Hallings, were sworn in the usual Manner, by Persons representing themselves to be the Persons that signed the Papers.

Q. When any Deponent came before you, and made his Mark to an Affidavit, did you cause the Affidavit to be explained to him, or interpreted in your Presence ?

A. I am willing to give further Satisfaction upon that Subject. I have several Times answered that they certainly were not explained ; that the Parties brought them, and bringing them themselves, they were not explained, because I supposed them to know what they brought.

Q. When you perceived a Deponent could not write, what did you do to know that he was acquainted with the Contents of his Affidavit ?

A. I collected it, from the Man himself delivering me the Affidavit.

Q. Did you know, whether the Persons who swore, were the Persons the Affidavits stated them to be ?

A. No ; I certainly did not ; I never saw them before ; and I do not know whether I ever saw them since. As I said before, they were either black Officers in the Regiment belonging to Colonel Hannay, or his Officers, or they were black Moonshies attached to the Officers : I say it, from having read the Affidavits since I was here last ; and that is all the Knowledge I have acquired.

Q. Do you recollect having sworn any Witness more than once in One Day ?

A. The Fact might happen, but I have no Recollection of it ; I rather believe, upon looking over the Dates of the Affidavits, that there are several : Major Davy, for instance, was sworn several Times upon several Subjects the same Day.

Q. I am speaking of Lucknow always ?

A. I do not recollect the Fact at all : It might be so, but I do not recollect.

Q. Do you recollect the remarkable Circumstance of one Doond Sing swearing Three Times before you, and putting his Mark Three Times in One Day?

A. My Recollection, if any upon that Subject, is that he was; but it arises from having seen the Affidavits within these few Days. Twice I recollect to have seen his Name, it may be Three Times.

Q. How came you not to make some Observation, upon the Circumstance of a Black Subahdar being brought before you Three Times, to make Affidavits the same Day?

A. It is very difficult for me to give an Answer to that Question, because, as I have stated, till I saw it in the Book, I did not remember the Circumstance; and not remembering the Circumstance till then, I cannot give an Answer why I did not make any Observation.

Q. Whether, in looking over the Book since, you have observed that Doond Sing says nothing against the Begums the Two First Times he swears, but he does the Third Time?

A. I do not know: I have made no Observation upon it. If it is so, it will appear upon the Book; and if it was so, I should not have known it at the Time; so no Observation could have arisen to me at that Time.

Q. But since?

A. No.

Q. Do you mean to say, You were not struck at the Time with the Circumstance of a Person's being sworn Three Times in One Day?

A. It will be any Satisfaction, I took the Affidavits and read them, and made Columns for the Dates when they were sworn, and I entered the Persons Names who swore under the Date, for the Purpose of seeing what Affidavits were sworn while I was at Lucknow, and I really do not recollect any Thing that struck me upon the Subject. I do remember, now it is mentioned, there was a Man who swore more than once; but the chief Object of looking at the Affidavits, was to see which were taken at Lucknow. I was afraid I had made a Mistake; but I am not sure whether I have or no. I was examined as to the Time I took the Affidavit of the Rannee at Ramnagar. According to my Recollection, as I stood at the Bar, I should have said I took it in my Way to Calcutta, in my Way from Ramnagar; but I see now, I must have taken it in my Way from Benares to Ramnagar.

Q. You must have made a Mistake when you said you read them, and classed them according to Date?

A. I certainly did read them; but I did not read them with Accuracy. I think it was last Saturday or last Sunday.

Q. But you said, by Mistake, you read them at the Time?

A. I certainly meant to say no such Thing; if I have, I am very sorry for it, it was a very gross Mistake.

The following Question, and Part of the Answer thereto, were read by the Clerk.

“Q. Do you mean to say, That you were not struck at the Time by the Circumstances of a Person being sworn Three Times in One Day?”

“A. If it will be any Satisfaction, I took the Affidavits and read them, and made Columns for the Dates when they were sworn.”

The Witness said,

What I meant by that was, That I took the Affidavits for the Purpose of reading them last Saturday, and dividing the Columns on that Paper.

Q. Do you mean last Saturday you made the Columns?

A. I mean last Saturday.

The Managers for the Commons stated, they had asked the Witness, Whether, at the Time he was at Lucknow, he was struck with the Circumstance of a Person swearing Three Times in One Day? His Answer to which was, That if it would be any Satisfaction, he would tell how he took them, and described the Manner, which they understood he stated with respect to those he took at Lucknow, and that he read them at that Time.

The Witness said,

It is impossible I could mean that.

The House observed, that the Mistake might easily be explained. That in the Question put by the Managers, the Words “at the Time” were not inserted, but in the Question as put by the House, these Words “at the Time” were inserted, understanding

defending the Managers so to have put them. They were therefore inserted in the Question as read by the Clerk. But the Answer of the Witness, was to the Question put by the Managers, and not as put by the House."

Q. Whether you was not at Lucknow struck with the Circumstance of One Man being sworn Three Times a Day?

A. To that Question I think I before answered; I did not recollect, nor do I now recollect that I observed any thing upon that Circumstance at the Time. When I was asked whether a Person was several Times examined before me, I said, that by putting the several Affidavits in Columns, I saw one Man had been examined more than Once upon One Day; that was the Whole that I meant by the Answer I gave.

Q. Whether, for any thing within your Knowledge, Mr. Hastings might not have withheld and suppressed any of the Affidavits he thought proper, which you brought from Lucknow?

A. Most undoubtedly he might have done it.

Q. Whether, the Purpose of taking those Affidavits by you, was not to furnish a Ground for Mr. Hastings's Defence, for Acts done and to be done?

A. It certainly was; I did not conceive he would subtract any of them. It certainly was as a Justification; I did not suppose him to be a Man so suspected, that I could not trust the Affidavits I took, to be put into his Hands; I did not suspect he would suppress them, or any of them, or put any others in their Room. They certainly were for his Justification, and if I had supposed such Suspicions would have been entertained of Mr. Hastings, or if I had had such Suspicions of him, I most undoubtedly would not have delivered them to him in that Manner.

Q. The Object of these Affidavits being the Justification of Mr. Hastings, and undertaken by your Advice, whether you would have advised Mr. Hastings to insert in his Justification, Affidavits that made against his own Cause?

A. As an honest Man, I should have advised Mr. Hastings to tell the Story truly and faithfully as it was, and to insert those Affidavits that contained the Facts, whether they made for him, or against him.

Q. Then do you know, why Hoolas Roy's Affidavit does not appear, or his Examination?

A. I was before asked about Hoolas Roy. I saw upon a Memorandum I had from Mr. Middleton, this Entry, "Hoolas Roy ordered to Chunar;" that is all I know of Hoolas Roy. Whether Hoolas Roy ever came to Chunar, whether Hoolas Roy's Affidavit was ever taken, or if Hoolas Roy's Affidavit was taken, why it was not published by Mr. Hastings with the rest, I do not know.

Q. Do you not admit, that the Fact of the Begum's having saved Captain Gordon was upon the Face of it, a Circumstance very much in her Favour?

A. If it is any Satisfaction that I should give my Opinion, that naked Circumstance certainly was.

Q. Had you any Conversation with Captain Gordon, or Colonel Hannay, why that Fact was suppressed in their Depositions?

A. I do not know that Fact was suppressed, I therefore could have no Conversation with them upon the Subject, why it was suppressed: I verily believe I had Conversations with Major Hannay and Mr. Middleton, upon the Subject of their Affidavits, but not upon that particular Circumstance. I do not know, whether at that Time I had heard that Circumstance alluded to or no: I have not any certain Knowledge that I had Conversation with them upon the Subject, but I really believe I had, because, it was natural, that I should. I do not recollect any particular Conversations, but I verily believe I had Conversations; if I was obliged to swear one Way or other, it would be that I had Conversations; but I cannot recollect what those Conversations were: In the Tent, dining with the Officers, upon the Occasion of going to take their Affidavits, that being one Object of my coming to Lucknow, it is most exceedingly improbable that that should not have been the Subject of Conversation.

Q. (*Cross examined.*) You have been asked your Opinion upon that Transaction relating to Captain Gordon: Whether you would have formed the same Opinion of it if you had known the Transaction had taken place, after the Begums were informed of the Success of the British Arms against Cheit Sing?

A. I really am embarrassed in giving Opinions upon Subjects, which the House can give a better Opinion upon.

The House observed it was no Evidence.

Q. (*by a Manager.*) In the Conversation you had with Mr. Hastings before you left Calcutta, respecting his Intention against Cheit Sing, whether Mr. Hastings made you any Communication of his Suspicion of the Disaffection or Misconduct of the Begums?

A. The Conversation I alluded to in a Part of the Evidence before the House of Commons, was a Conversation with Mr. Hastings before he left Calcutta. I do not recollect hearing from Mr. Hastings, or any other Person at that Time, that the Begums were in Rebellion.

Q. Whether you know, or ever knew, of any Cause of personal private Enmity between Mr. Hastings and the Begums?

A. I never heard it suggested. I had understood, and all I believe that I had heard upon the Subject was, that Mr. Hastings had protected the Begums when the Nabob had made an Attempt to seize their Treasure, soon after I came to Calcutta.

Q. (*by Counsel.*) Whether you had not heard, from Report, of the Disaffection of the Begums, prior to your going to Lucknow?

A. I cannot positively say whether I had or not; whether the Begums Names are mentioned in the Letter I received from Mr. Hastings in going up, I cannot tell; he certainly mentions Troubles at Fyzabad; but he mentions nothing, that I know of, of the Begums. All I collected on the Subject is from that Letter I received from Mr. Hastings.

Q. I think I heard it said, the Begums were not mentioned in the Letter from Mr. Hastings to Mr. Middleton, dated the 15th of November 1781?

A. I am alluding to a Letter I myself received from Mr. Hastings before I saw him.

Q. I understood, in a former Examination, you said you had been acquainted with the Contents of a Letter of the 15th of November 1781; in that Letter mention was made of Levies of Horse and Foot openly made at Fyzabad, both by the Begums and Cheyt Sing's Agents; was that prior to your going up to Lucknow?

A. Prior to my going up to Lucknow, but not prior to my having Conversation with Mr. Hastings.

Q. My Question is, whether you had heard of it prior to your going to Lucknow?

A. There can be no doubt about it; I stated the Conversation.

Q. (*by a Lord.*) I understand you to have deposed, that you founded the Opinion you gave Mr. Hastings, of the Propriety and Legality of the Nabob's seizing the Treasure of the Begums, upon the Fact of a supposed Rebellion, that either did then exist, or had existed, a Rebellion of the Begums against him the Nabob; have I rightly understood you?

A. Undoubtedly, with regard to the Nabob's Right of seizing the Treasure, as there was a Rebellion against him, I looked upon that as attaching the Nabob's Right to seize them.

Q. Am I to understand that you considered the supposed Intention, or overt Acts, if there were any overt Acts, in the Begum, to assist Cheyt Sing, as an Act of Rebellion against him the Nabob?

A. No; but what I had likewise heard was, that the Begums had an Intention of taking Advantage of those Troubles, for the Purpose of raising Saadit Ali to the Musnud, instead of the Vizier.

Q. (*by a Lord.*) Did you mean that such Rebellion of the Begums against the Vizier dissolved the Guarantee of the English?

A. I do not recollect having ever said any Thing about a Guarantee.

Q. I understood you to have said, if the Begum was in Rebellion against the Nabob Vizier, the Nabob Vizier would be justified in seizing the Treasures; whether that would absolve the Company from their Guarantee?

A. I could mean no such a Thing; for, to the best of my Recollection, at that Time I never had heard of a Guarantee at all.

Q. Do you know any Thing of a Guarantee now?

A. Nothing more than I have learned in the Course of the Proceedings against Mr. Hastings.

Q. Then the Opinion you gave to Mr. Hastings, was upon the Supposition that there was no Guarantee?

A. It was upon no Supposition of a Guarantee at all; I know nothing of a Guarantee; and therefore I had not a Guarantee in Contemplation.

Q. Do you understand that the Guarantee was purchased by the Payment of Thirty Lacks, and relinquishing a Debt of Twenty-five Lacks?

A. What I have heard of a Guarantee, has been from the Evidence that has been delivered before the House.

Q. Then you gave that Opinion, not knowing of a Guarantee?

A. Certainly.

Q. (*by the Managers.*) Did Mr. Hastings not, in some Stage of this Business, consult you, with respect to the Legality and Propriety of the Proceedings against the Begums?

A. I have stated, in my Evidence, here, and before the House of Commons, all the Conversation upon that Subject that I remember: If that is understood to be a Consultation with me upon the Subject, I had that Consultation; but I have not the least Recollection of Mr. Hastings having consulted me upon the Subject before or after.

Q. Then,

Q. Then, at the Time Mr. Hastings had these Conversations, or Consultations, did he ever inform you of the Existence of this Guarantee, or of any Guarantee?

A. I am pretty sure Mr. Hastings did not: The Subject Matter, possibly, might be a Reason why Mr. Hastings did not; for I understood, that what is called a Rebellion, had Two Motives; the One was, to advance her Son, Saadit Ali, to the Prejudice of the Vizier; the other was, the Extirpation of the English; both those Objects I understood.

Q. Then your Answer is, that Mr. Hastings did not inform you of the Guarantee?

A. No, not as I remember.

Q. Whether you have not assigned one Motive of the Rebellion, to be a Desire to raise her Son, Saadit Ali, to the Musnud, in the room of the Nabob?

A. I certainly heard that Report.

Q. Did you believe it?

A. I had no Grounds not to believe it; I certainly did believe it at the Time; I heard nothing to contradict it: With regard to Saadit Ali, I have heard that Saadit Ali himself was disinclined to the English: I remember this Circumstance; Mr. Hastings mentioned that to me; and afterwards told me, he thought Saadit Ali had purged that, by having taken Care of the wounded Prisoners that Mr. Hastings had committed to him.

Q. Whether you ever heard, that Saadit Ali was the Son of the Begum?

A. I have heard him called the Brother of the Nabob; whether he was the Son of the Begum or not, I do not know.

Q. Do you not know that he was not the Son of the Begum?

A. I do not know that he was the Son of the Begum.

Q. Have you not heard that he was not the Son of the Begum?

A. I may have heard it.—I do not recollect I ever did.

Q. Whether you chose to advise upon the State of a Family of which you knew so little?

A. I have not advised upon the State of the Family at all, nor do I know that I gave any Advice with respect to the State of the Family.

Q. Did you not think it of Importance with respect to the Credit of the Report of the Begum's Intention of setting up Saadit Ali, instead of the Vizier; whether Saadit Ali was her own Son, or whether he was only the Son of her Husband?

A. I take it for granted Saadit Ali was not the Son of the Begum; but I really thought, till this Examination had passed, he was the Son of the Begum. With regard to the Credit to be given to the Report, I did not at all doubt the Report, and therefore I did not go to Circumstances to weigh the Credibility of it.

Q. Whether Mr. Hastings assigned to you in any Conversation, as a Reason for his having a better Opinion of Saadit Ali, the Care he took of the wounded Prisoners; whether he considered that as doing away the supposed Disaffection he had to the English?

A. To the best of my Opinion, I believe something of that Kind did pass.

Q. I speak of Mr. Hastings's Opinion?

A. I speak of Mr. Hastings's Opinion.

Q. Do you know at what Period it was, Saadit Ali was supposed to take Care of the Prisoners?

A. I understood they were some Prisoners Mr. Hastings could not take care of, being obliged to retire to the Fort at Chunar, and I believe it was at that Time.

Q. Was it immediately after the Affair of Benares?

A. I believe it was; because within these Four or Five Days I have read the Benares Narrative, and something of that Kind is mentioned in the Benares Narrative.

Q. Whether you was informed, that Saadit Ali had purged himself of the Design of this Rebellion, which was supposed to be raised in his Favour, how came you not to think that the Begum was likewise purged from her Share of it?

A. I do not know how to give an Account, why I did not think so; I cannot give a Reason why I did not.

Q. Did you understand Saadit Ali had as much Treasure as the Begums?

A. So far from having Treasure, as I understood, he was provided with an annual Income from the Nabob, at the Instance of Mr. Hastings.

Q. Did Mr. Middleton mention the Guarantee to you at Lucknow?

A. I have said I knew nothing of it, till I heard it in the Course of this Business; Mr. Middleton certainly did not state it.

Q. You state, that One Object of your Journey to Lucknow, was to assist Mr. Middleton, or prevail upon him to be more alert in executing the Treaty of Chunar; was it suggested by you?

A. Not

A. Not to assist him, but to press him to urge the Nabob to a complete Performance of the Treaty of Chunar, chiefly with Reference to the Resumption of the Jaghiers.

Q. By what Means had you any Knowledge of the Articles of the Treaty of Chunar?

A. I had a Copy of the Treaty in my Possession; and if I had not, what I did with Mr. Middleton I could have done as well without; it was simply to press him to get these Articles carried into Execution by the Nabob, and my Knowledge of the Treaty had nothing to do with that.

Q. Had you any Motive to abstain from looking at the Copy of the Treaty of Chunar, which Mr. Hastings furnished you with?

A. I certainly had not; I read the Treaty of Chunar before I went up to Lucknow, I believe; I believe Mr. Hastings shewed it me almost as soon as I saw him at Benares.

Q. As you read the Treaty of Chunar, how came you not to see from that itself that there was a Guarantee to the Begums?

A. I possibly might know it, I do not recollect I did; I have some Doubts, because I have no Recollection whether it is in the Treaty of Chunar. I hope you will excuse my Defect of Memory, if, at the Distance of 10 Years, I do not recollect such a Circumstance in the Treaty of Chunar.

Q. It is not 10 Years ago; you said you did not know of the Guarantee till the Proceedings here?

A. I do not know whether it is or is not in the Treaty of Chunar: It may make an Impression upon the House, that it is in the Treaty of Chunar, which Impression, with respect to my Evidence, will go beyond the House; I desire therefore, that it may be seen, whether, in point of Fact, it is in the Treaty of Chunar.

Q. (*from a Lord.*) You have said, a Bramin with Water from the Ganges, in a brass Basin, swears the Hindoos; could such a Circumstance happen without your Knowledge, when you took the Affidavits?

A. I am Pardon; I do not understand the Question.

Q. The Question put to you is, whether the Bramin could have attended with the Brass Basin, and the Ceremony have been performed at the Time, in the Manner the Hindoos are sworn, in your Presence, without your Knowledge?

A. I cannot take upon myself to say, it could not; I do not apprehend it could, I do not believe it.

Q. (*by a Lord.*) Can you recollect, whether in that Conversation with Mr. Hastings, upon the Subject of the Right of resuming the Jaghires or seizing the Treasures, Mr. Hastings informed you, the Begums were in actual Rebellion, or that the Rebellion had subsided?

A. I have not so accurate a Memory of the Conversation; I do not speak from the Remembrance of the Words that passed; but I apprehend Mr. Hastings must have referred to the Rebellion that had passed, from the Circumstances.

Q. Supposing it to have subsided, do you mean that the Measure should not have been put into Execution, after the Rebellion had so subsided?

A. I gave the Opinion of a Right attaching upon the Nabob, upon the Rebellion having actually existed, though not existing at that Time; and that, from the Begums having been in Rebellion, the Right attached on him.

The Witness was directed to withdraw.

The Managers for the Commons acquainted the House, they would next proceed to that Part of the Correspondence which relates to the Cruelty, Imprisonment, and other severe Methods, used to extort Confession, from the Ministers of the Begums, of the Place where the Treasures were concealed.

Read, the following Letter from Captain Leonard Jacques, dated, Palace, Fyzabad, 23d February 1782, to Richard Johnson Esquire, Resident at the Vizier's Court, from Mr. Middleton's Letter Book, marked A, already delivered in.

“ To Richard Johnson Esquire, Resident at the Vizier's Court.

“ Sir,

“ The Two Prisoners under my Charge, Bahr Ally Cawn, and Jewar Ally Cawn, have repeatedly represented to me the Hardships they suffer by their long Confinement.

“ They have this Day informed me of their being advised, in your Letter, of a Deficiency in the Sale of the Articles sent to Lucknow, as Part of the stipulated Sum to be sent by them.

“ As the Sum deficient has not been pointed out to them, they have requested I would write you for that Purpose.

" Anxious to obtain their Enlargement, they have likewise desired me to inform you, they immediately, with the Assistance of their Friends, make up any Deficiency that may have arisen.

" I have the Honour to be,

" Palace, Fyzabad,
Feb^r 23d 1782.

" Sir,
(Signed) " Your most obed^t humble Servant,
Leon^d Jaques,
Captⁿ 2nd Battⁿ 20th Reg^t of Sepoys."

The Managers for the Commons stated, that they next proposed to read a Letter from the printed Papers in the House of Commons, viz. a Letter signed Richard Johnson, dated Lucknow, 27th February 1782, and produced upon the Examination of Mr. Jaques, before the House of Commons.

The Counsel for the Defendant objected to any Letters, written by a Person who was attending and forthcoming, being read, without they were first authenticated in a proper Manner.

Then CAPTAIN LEONARD JAUQUES was called in, and being sworn, was examined as follows :

Q. Whether you recollect being examined by the House of Commons?

A. Yes.

Then several Papers were shown to the Witnesses, and the following Question put to him :

Q. Look at those Papers, and say, whether they are authentic Copies?

The Counsel for the Defendant objected, that the Originals ought to be produced.

The Managers for the Commons stated, that the Originals were suppressed, and contended, that therefore the Copies were good Evidence; that they had been shewn to the Witnesses, upon his Examination before the House of Commons, and there authenticated, by his saying, they were the Letters he wrote.

The Counsel for the Defendant insisted, that before the Copies could be read, it was incumbent upon the Managers for the Commons to shew, that they had used due Diligence to search for the Originals.

The following Question was put to the Witnesses :

Q. What do you know about the Originals?

A. Some Letters were read to me in the House of Commons; I answered as well as I could, to the best of my Judgement, that they appeared to me to be right.

Q. Right? in what Respect?

A. I judged that they were the same Letters, as far as my Memory would support me, that passed between Mr. Middleton, Mr. Johnson, and me.

Q. What Knowledge had you of the original Letters?

A. During my Command at Fyzabad, while Bahar Ali Khan and Jewar Ali Khan were Prisoners, a Number of Letters were written by Mr. Middleton, and after Mr. Middleton went to Lucknow, by Mr. Johnson, to me, respecting the Prisoners, directing me how to act.

Q. What became of those Letters?

A. I had not an Idea of ever being called upon to say any thing about them, after I left India: I do not know where they are; I believe they are destroyed. I have none of them: the Letters that came to me I did not keep; what they did with the Letters that came to them, I cannot tell.

Q. First of all, as to the Letters written to you, those Letters, you say, were destroyed?

A. I did not destroy them, till I was about to come from India.

Q. But in regard to the Letters you wrote Mr. Middleton, or to Mr. Johnson, what do you say?

A. I believe I can recollect the Tenor of all the Publick Letters I wrote respecting the Prisoners.

Q. But you do not know what is become of those Letters.—Where is Mr. Johnson?

The Managers for the Commons stated, that Mr. Johnson was at Bengal; and observed the Objection taken was rather extraordinary, as the Defendant had admitted the Letters, in his Defence to the Articles presented to the House of Commons, and that the Counsel had already, in the Course of the Trial, withdrawn a similar Objection.

The Counsel for the Defendant requested, that the Managers would point out in what Part of the Defence the Letters in question were admitted verbatim ; if not, they objected to the Production of a Copy of Originals destroyed, unless proved to be an authentick Copy of such Originals.

Then the following Question was put to the Witnesses :

Q. In what Situation were you in January, February, and March, 1782 ?

A. I commanded the 2d Battalion of the 20th Regiment of Sepoys, Major Gilpin commanded the Regiment consisting of Two Battalions, which were ordered to march from Cawnpore, I think, on the 22d or 23d of December 1781. We marched to Dalmohw, about 40 Cos, or 80 Miles. Our Route was intended to a Place called Sahlone, where, we were given to understand, there were Disturbances, and we were ordered to march there to suppress them. About a Day's March after our Departure from Cawnpore, Major Gilpin received Orders to strike off from the Route to Sahlone, and march to Lucknow with all possible Expedition. We marched to Lucknow in Two Days, and scarce arrived with any Men. I set off with about 500 Men, and marched so quick, the Orders being so pressing, that I do not suppose I had 200 Men come up with me. Our Guns were like to have been left behind. This was in consequence of—

Q. When was you at Fyzabad in 1782 ?

A. I arrived at Fyzabad the 8th of February 1782, with the 2d Battalion of Sepoys of the 20th Regiment. They relieved Major Naylor, who delivered the Prisoners Bahar Ali Cawn, and Jewar Ali Cawn, into my Charge, and another Person, whose Name I do not recollect, but, I think, it was Shumshire Cawn ; and gave me certain Instructions for my Conduct, directing me to receive further Instructions from the Resident at Lucknow.

Q. What Instructions did the Resident send you ; were they in Writing ?

A. Major Naylor gave me Instructions, and told me, for further Information, and any other Instructions I might want, I was to receive them from the Resident at Lucknow.

Q. Did you receive Instructions from the Resident at Lucknow ?

A. Those Letters which have been mentioned, composed my Instructions.

Q. You received them by Letter ?

A. I did.

Q. Were those Letters among the Papers, you say were destroyed before you left India ?

A. Those Letters, as I conceived they would not be wanted, I did not think it worth while to keep.

Q. They were destroyed ?

A. They were destroyed.

Q. What were those Instructions, according to your Memory ?

A. One was, that Hoolas Roy was to have free Access to the Prisoners, to use every Means that appeared to him requisite for inducing them to pay the Balance of 12 Lacks of Rupees out of the Sum of 55 Lacks, which, I was given to understand, were to be paid : 43 Lacks I met upon the Road, as I was marching.

Q. That was the Instructions you received in those Letters from the Resident ?

A. Part of the Instructions.

Q. Do you recollect any other Instructions you received, on or about the 27th of February 1782, from Mr. Johnson ?

A. I cannot charge my Memory with the Time, when Mr. Middleton left Lucknow, and Mr. Johnson acted in his Room ; but I was Four Months there, and received Instructions both from Mr. Middleton and Mr. Johnson.

Q. Did you receive particular Instructions from Mr. Johnson, concerning those 12 Lacks of Rupees you spoke of before ?

A. I did.

Q. What were the Instructions you received from Mr. Johnson respecting those 12 Lacks ?

A. I am not certain they were from Mr. Johnson ; I am inclined to believe it was Mr. Middleton, that wrote me Directions to put them in Irons, in consequence of their not making good the Payment ; I am not sure whether Mr. Johnson or Mr. Middleton, but I believe it was Mr. Middleton.

Q. Were they put in Irons in consequence ?

A. They were.

Q. Did you receive Directions from Mr. Middleton and Mr. Johnson, to keep them from Food : Had you any other Directions from Mr. Middleton and Mr. Johnson, besides those you mentioned ?

A. I had many different Letters, which gave me many Parts of my Information, of which my Memory fails me now ; but with regard to Food, I never had any Directions to keep it from them.

Q. Can you recollect what particular Instructions you had, with regard to the Treatment of those Prisoners in all other Respects, besides that of putting them in Irons?

A. I recollect after they had been in Irons some Time, they complained to me of being very unwell, and they desired I would apply to the Resident for their Irons to be taken off for a little Time, for their having taken some Medicine; the Resident did not think proper they should, because they could have paid the Balance, and then they would have been released altogether.

Q. Then the Irons were not taken off upon that Account?

A. They were not.

Q. Can you recollect any other Orders for the particular Treatment of those Prisoners?

A. I believe that was the most particular Part; there are a Number of Things that have escaped my Memory.

Q. How were they fed, how lodged, how were they with Regard to Company coming to them?

A. I was not prevented from letting their Company come to them, but Hoolas Roy, who was to transact the Business mostly with them, was to give me Information of any Person that appeared to be improper to be allowed to go to them.

Q. What Number of Servants had they to attend upon them?

A. I should suppose not less than Forty or Fifty; a great Number.

Q. Were any Persons prevented Access to them at any Time?

A. I cannot charge my Memory that any one was prevented going to them, as none, that I recollect, appeared to me suspicious: What I mean by Suspicion was, any People that appeared in Arms, or gave me Reason to suspect their attempting to overset my Endeavours.

Q. You have stated an Application made to relieve them from the Irons: Do not you state, they would be equally safe without their Irons as with them?

A. I have no Doubt of it.

Q. Whether there were any Directions, besides those you have spoken of, which were Directions for not taking off the Irons; had you any Directions for any other Severities being used upon them, beyond those?

A. I do not recollect that I had; I have some slight Idea, very slight indeed, regarding more Irons, but I beg leave to decline answering, whether such a Thing was wrote to me or not; how that Matter was, I cannot tell.

Q. Do you know whether, in point of Fact, they were charged with more Irons?

A. They were not ever to my Knowledge: Bahar Ali Cawn, and Jowar Ali Cawn, had only a Pair each; I do not know whether Shumshire Cawn had.

Q. Had you more Irons than you used?

A. I ordered the Smith of the Battalion to make the Irons.

Q. You received none, then, from Mr. Johnson; but you ordered them to be made yourself, in Consequence of his Directions?

A. None.

Q. How long were they kept in this Durance?

A. Really I cannot tell; I believe, during my Time, about a Month: I was there Four Months, from February to June; near Four Months.

Q. Do you recollect any Circumstance relating to the Prisoners being threatened with the Accusation of their being concerned with Bulbudder Sing?

A. I was informed that the Resident said, they had been concerned with Bulbudder Sing.

Q. Were they threatened with that Imputation?

A. I told them of the Resident's Letter, that there were such Surmises against them, which they denied.

Q. What was the Situation of the Women of the Khourd Mahl, while you was at Fyzabad?

A. I have great Reason to believe they were greatly distressed for want of Provision.

Then the following Extract was read from Mr. Middleton's Letter Book A. already delivered in, beginning at Page 109 of the same.

“ Richard Johnson Esquire, Resident at the Vizier's Court.

“ Sir,

“ The Women belonging to the Khourd Mahl, complain of their being in Want of every Necessary of Life, and are at last drove to that Desperation, that they at Night get on the Top of the Zenanah, make a great Disturbance, and last Night not only abused the Centinels posted in the Gardens, but threw Dirt at them; they threaten to throw themselves from the Walls of the Zenanah, and also to break out of it.

“ Humanity

" Humanity obliges me to acquaint you of this Matter, and to request to know, if you have any Direction to give me concerning it.

" I also beg Leave to acquaint you, I sent for Letaffit Ally Cawn, the Cojah, who has the Charge of them; who informs me their Complaint is well grounded; that they have sold every Thing they had, even to the Cloaths from their Backs, and now have no Means of existing.

" Enclosed I transmit you a Letter from Monatoll on the Subject.

" I have the Honour to be,

" Sir,

" Palace, Fyzabad,
March 6th, 1782.

Your most obed. hble Servt,
(Signed) Leo^d Jaques, Captain
2^d Battⁿ 20 Reg^t of Sepoys."

" Richard Johnson Esquire, Resident at the Vizier's Court.

" Sir,

" I beg Leave to address you again, concerning the Women in the Khouard Mhal; their Behaviour last Night was so furious, that there seemed the greatest Probability of their proceeding to the utmost Extremities, and that they would either throw themselves from the Walls, or force the Doors of the Zenanah.—I have made every Enquiry concerning the Cause of their Complaints, and find from Letaffit Ally Cawn, that they are in a starving Condition, having sold all their Cloaths and Necessaries, and now have not wherewithal to support Nature; and, as my Instructions are quite silent on this Head, should be glad to know how to proceed in case they were to force the Doors of the Zenanah, as I suspect it will happen, should no Subsistence be very quickly sent to them.

" I have the Honour to be,

Sir,

" Palace, Fyzabad,
March 7th 1782.

Your most obed^t humble Servant,
(Signed) Leo^d Jaques, Captⁿ.
" 2^d Battⁿ 20th Reg^t of Sepoys."

Read, also, the following Extract from the same Book, beginning at Page 117 of the same.

" Nathaniel Middleton Esquire, Resident at the Vizier's Court.

" Sir,

" I am desired by the Two Prisoners, Bar Ally Cawn and Jewar Ally Cawn, to inform you they have this Day received a Statement of Accounts from Mr. Johnson, in which they say, that, exclusive of the Jewels sent as Part Payment of the stipulated Sum of Fifty-five Lacks of Rupees, they are credited for the Sum of Forty-five Lacks Forty-five thousand six hundred and one Rupees.

" They earnestly request that the Jewels may be valued by Four or Five eminent Merchants, Mussulmen and Hindoos, upon Oath; and that after this may be done, whatever Balance may appear against them, they will immediately get their Friends to advance for them.

" They have likewise requested me to represent to you their distressed Situation, in being so long and close confined, with the Hopes of your taking their Case into Consideration, expediting the Matter as much as in your Power. They also request me to inform you, the Suspensions Mr. Johnson seems to entertain of them respecting Bulbudder, is without Foundation; that they have no Kind of Intercourse, either directly or indirectly, with him; and that they stake their Lives upon the most distant Proof of it being brought; also, that it would give them great Satisfaction to find he was either taken or destroyed.

" I have the Honour to be,

Sir,

" Palace, Fyzabad,
March 13th 1782.

Your most obed^t humb^t Servant,
(Signed) Leo^d Jaques, Captain
2^d Battⁿ 20 Reg^t of Sepoys."

Read, also, the following Extract from the same Book, beginning at Page 127 of the same.

" Nathaniel Middleton Esquire, Resident at the Vizier's Court.

" Sir,

" I was last Night honoured with your Letter of the 19th instant; and have, agreeable to your Orders, put the Prisoners Bahar Ally Cawn and Jewar Ally Cawn in Irons.

" I have the Honour to be,

" Sir,

" Palace,
March 21st 1782.

Your most obed^t humble Servt,
(Signed) Leo^d Jaques, Captⁿ.
2^d Battⁿ 20 Reg^t of Sepoys."

" Nath^l Middleton Esquire, Resident at the Vizier's Court.

" Sir,

" I am favoured with your's of the 27th instant; and cannot help informing you, that I think myself hardly used, in not being allowed to trifling a Contingence as my Bill with you is for; however, I am nevertheless obliged to you for letting me know what I have to expect, as I shall of Course

Course now discharge all the extraordinary People, which my Delicacy and Zeal for doing the Duty I am upon, to the Satisfaction of them who ordered me upon it, induced me to enter into. You will therefore consider, Sir, that I cannot any longer pay Women to examine the Doolies from the Rafs and Khourd Mahls; of Course none will be allowed to go out till I have your further Directions how to proceed. Doolies unexamined will take out Valuables, which my Orders are positively against. Intelligence I can have none, as no Allowance will be made me for it; and should any Accident happen, the Blame will not be mine, but those who are so sparing of a Trifle.

"I have been at some other trifling Expences, such as a Moonsey to read, write, and explain any Letter to and from the Prisoners, to and from Jerrou Sing, the Aumil of Nabob Gunge, and the Aumil of Oude, &c. Extra Stationary, and not necessary, were I not on a separate Command; Candles, Oil, &c. for Guards, which should have no Occasion to supply, were it not for my Command.

"The practising my People with Ball Cartridges, I am sure, was absolutely necessary, as Fifty of my Men were the utmost in Number who had ever fired one until I came here: And I had every Reason to believe, from the Caution used by Major Naylor, when I relieved him, that I should meet with Trouble; and, being only Half his Number, and no Guns, it was surely my Duty to have my People in the best Condition to defend themselves if Occasion required; and I am sure the Sum charged by me for this, is not Half what it would have cost the Company to have supplied my Battalion from any of the Magazines.

"You have also ordered me to put the Prisoners in Irons—that I have done; yet, as I have no Business to purchase Fetters, or supply them any other Way, it is but reasonable that you should order me to be reimbursed. But why should I add any Thing more? A late Commander at this Place, I am told, draws near as many Thousands, Monthly Contingencies, as my trifling Bill is for Hundreds. However, if you cannot get my Bill paid, be so obliging as return it, and give me an Opportunity of declaring to the World, that I believe I am the first Officer in the Honourable Company's Service who has suffered in his Property by an independant Command.

"I have the Honour to be,

"Palace, Fyzabad,
March 30th, 1782.

Sir,
Your most obedient humble Servant,
(Signed) Leo^d. Jaques, Captain,
Commanding at Fyzabad."

Q. Whether this Letter, stating you had put the Prisoners in Irons, does not mean, you had put them a Second Time in Irons. Do you recollect that Letter?

A. I do recollect it.

Q. When it speaks of putting in Irons, does it mean putting a Second Time in Irons?

A. I cannot charge my Memory with their having been put in Irons before; they might be, by Major Naylor.

Q. Were they in Irons when they were delivered over to you?

A. No, not to the best of my Memory.

Q. What does the Examination of Doolies, in the Khourd Mahls, mentioned in this Passage, refer to, "You will therefore consider, Sir, that I can no longer pay Women to examine the Doolies from the Rhafs and Khourd Mahls:" Do you know what is meant by that Examination?

A. My Orders were to guard against the Treasures being taken out of the Zénana; and carried out of the Kella; they have a Sort of Carriage that the Women are carried in, covered; I was ordered to have those examined, to prevent the Money being carried out of the Zenana to the Begum, who was at her House without the Gates.

Q. "Doolies unexamined will take out Valuables," you say—Did you, or your Soldiers, when you found the Women taking out Valuables from the Khourd Mahl, seize those Valuables?

A. No.

Q. Were any of those Carriages seized?

A. None, during my Command.

Q. Did you not surround the Khourd Mahl with Soldiers and other Persons, to prevent their carrying the Valuables from thence?

A. Every necessary Care was taken to prevent any Thing extraordinary going out; Cloaths and other Things, not Valuables, were allowed to go; Jewels and Money of considerable Value, were not allowed to be carried out.

Q. You paid Women to examine those Doolies?

A. I did.

Q. To your Knowledge, what Process or Mode of Enquiry was carried on, respecting the supposed Treason of the Ministers, while they were under your Guard?

A. Really I cannot say.

Q. What did you consider them as confined for; what were they put into your Charge for?

A. I always considered them to be put into my Charge, principally to make them pay the Twelve Lacks that were due; that was the principal Reason. Fifty-five Lacks was the Sum agreed to be paid; only Forty-three were paid; and I was given to understand Twelve Lacks remained due.

Q. Might not Hoolas Roy, or any of the Black Persons you have mentioned, as having Access to the Prisoners, have used Tortures to them without your preventing them?

A. I do not believe it possible: They were immediately under my Guard; there were not less than 20 Centinels.—The Place where they lie in hot Countries is open on one Side; the Centinels were close to them, and there could be none but what was by my Directions.

Q. For what Purpose was Hoolas Roy permitted to have Access to them?

A. To obtain Payment of the 12 Lacks and odd Rupees: There might be other Things, but that was what I understood was his principal Business.

Q. Was Shumshire Cawn under your Charge?

A. He was.

Q. How long did Shumshire Cawn remain under your Charge?

A. I delivered Bahar, and Jewar Ally Cawn, and Shumshire Cawn, up to Major Gilpin, upon his marching with the other Battalion from Fayzabad.

Q. You received the other Two from Major Naylor; were not all the Three in your Custody the whole Time?

A. I received them all together.

Q. Did you know of any Enquiry being made into the past Conduct of Shumshire Cawn, while under your Charge?

A. I do not; there might be; Hoolas Roy might question him about many Things; but not known to me, that I recollect.

Q. Are you quite sure that Shumshire Cawn was in your Charge, as well as the other Prisoners?

A. Sure of it; I have no Doubt of it.

Q. In what Manner were you directed to afford Relief to the Distress of the Women who were in a starving Condition?

A. None, unless I had chosen to give it myself.—I applied to the Resident, representing the Case; and he wrote me Word back, it was a Business the English could have nothing to do with, directly, or indirectly.

Q. Do you understand it was by Authority of the Resident, you placed a Guard round the Zenana?

A. I relieved Major Naylor the 8th of February 1782, and of course my People relieved the Guards where Major Naylor had placed them:—As to the Women going out singly, or Half a Dozen together, they might have gone out without being stopped.

The Witness was directed to withdraw.

Then the following Extracts were read from Mr. Middleton's Letter Book A. already delivered in, beginning at Page 100 of the same Book.

“ To Captain Jaques,—commanding the 2d Battalion, 20th Regiment.

“ Sir,

“ Hoolas Roy, the Person appointed by the Nabob for transacting the Business for which the Troops are required here, will hold constant Communication and Intercourse with you; and as he is instructed and acquainted with the best Method to accomplish this Business, Mr. Middleton requests implicit Attention be paid to what he may, from Time to Time, represent respecting the Prisoners, or the Business in which he is employed. In short, as he is the Person nominated by the Nabob, he wishes Hoolas Roy to be considered in the same Light as if he himself was present.

“ One subaltern Officer and a complete Body of Sepoys to mount as a Guard over the Prisoners Bahar Ally Cawn and Jewar Ally Cawn, and direct, that all Intercourse be stopped between them and their Adherents, as also betwixt the Begum and the Zenanah, except such as is recommended by Hoolas Roy.

“ That you publish to your Corps and Followers, that they are not on any Account to go upon the Tops of the Buildings within the Kellah, as they overlook the Zennanah; and you likewise direct, that the Sepoys or followers do not go into the Gardens of the Palace.

“ The above is the Substance of the Instructions which I received from the Resident, and which he desired I would communicate to you.

“ I have the Honour to be,

Sir,

“ Camp, Fyzabad,
February 8th 1782.

Your most obedient humble Servant,

(Signed) T. Naylor, Major,
Commanding at Fyzabad.”

“ To

Read, also, the following Extract, from the same Book, beginning at Page 105 of the same.

" To Richard Johnson Esquire, Resident at the Vizier's Court.

" Sir,

" I am to inform you the Begum has this Day sent to acquaint me, that the Servants she brought out of the Zenana are many of them indisposed, and that, as she finds herself distressed for the Want of their Services, she has requested permission to have others from the Zenanah.— I request you will inform me how I am to act, and whether this can be granted; if it can, if there may be any particular Persons the Nabob wishes to be taken from the Zenanah for this Purpose. I have desired Moonalol to write to Hoolas Roy particularly on the Subject, which Letter I now beg leave to enclose you.

" I have the Honour to be,

Sir,

Your most obedient humble Servant,

" Fyzabad,
February 18th, 1782.

(Signed) Leo^d Jaques, Captⁿ
2^d Battⁿ 20th Reg^t of Sepoys."

" To Richard Johnson Esquire, Resident at the Vizier's Court.

" Sir,

" Enclosed, I beg leave to transmit you a Chit sent me by Lattaft Ally Khawn, Head Durogah of the Kourd Mhal, who has represented to me, that a Number of Women who went into the Zenanah to see their Relations, are ready to lie-in, and wish to come out of the Zenanah for that Purpose. He has applied to me to order their Release; but as I do not think I am authorized so to do, from the Nature of the Instructions received by me from Major Naylor, request your Instructions, how I am to act.

" I have the Honour to be,

Sir,

Your most obedient humble Servant,

" Palace, Fyzabad,
February 21st, 1782.

(Signed) Leo^d Jaques, Captain
2d Batt. 20th Reg. Sepoys."

Read, also, the following Extract from Page 133 of the same Book.

" To Richard Johnson Esquire, Resident at the Vizier's Court.

" Sir,

" Enclosed I beg leave to transmit you a Letter from the Two Prisoners, Bar Ally Khawn, and Jewar Ally Khawn, in Answer to One they received from you this Morning, which they would have not received had I not known it was from you, conceiving it was contrary to my Instructions, which are to prevent their having any Intercourse with their Adherents.

" I have the Honour to be,

Sir,

Your most obedient,

humble Servant,

" Palace, Fyzabad,
February 22d 1782.

(Signed) Leo^d Jaques, Captⁿ
2^d Battⁿ 20th Reg^t of Sepoys."

Read, the following Extract from Mr. Middleton's Letter Book D, beginning at Page 6 of the same.

" Captain Jaques, commanding at Fyzabad.

" Sir,

" I have been honoured with your Letter of the 23d instant; and enclose an Answer to a Letter from your Prisoners.

" I also send you an Account of the Money hitherto brought to their Credit, which be so good as to explain to them: That by this Statement, Twelve Lacks are yet due upon the Fifty-five stipulated, against which the Jewels and remaining Bullion are yet to be set off, only estimated by themselves at Seven; but as the Sale of these will in all Appearance far exceed the Term of their Agreement, it would be better that they should send Money instead of them; in the mean Time, you may assure them, that on the Day their Agreement expires, I shall be indispenably obliged to recommence Severities upon them, until the last Farthing is fully paid of the Agreement they have entered into. You may also mention to them, that I have reason to suspect that the Commotions raised by Bulbudder has not been without their Suggestions and Abetment; which if proved upon them, in Addition to the probable Breach of their Agreement, will make their Situation very desperate.

" The Ignorance they have pleaded to you of the Deficiencies in Produce of the Payments, is a vain Pretext, as not one Sicca Weight has been disbursed, without the previous Knowledge of their Agents here,

" Lucknow,
27th Feb^r 1782.

(Signed) Richard Johnson."

Read,

Read, the following Extract from Letter Book A. already delivered in, beginning at Page 141 of the same.

“ Richard Johnson Esquire, Resident at the Vizier's Court.

“ Sir,

“ I have this Day been honoured with your Letter, under Date the 27th Ultimo, enclosing an Account of the net Produce of Receipts from this Place, at Lucknow; as likewise your Letter, dated the 28th Ultimo. In consequence of your Letter dated the 28th Ultimo, I have allowed the People to pass out from the Khourid Mhal, being first properly examined, by a Woman I found it necessary to procure for this Purpose.

“ I have, agreeable to your Desire, explained the Contents of your Letter to the Prisoners Bar Ally Cawn and Jewar Ally Cawn, as likewise the Account; in answer to which they have requested me to inform you, that it will be entirely out of their Power to transmit Cash in the room of the Jewels already sent, but that, when the Jewels may be sold, and a Balance struck of any Deficiency arising from the Sale, they will, in the Course of a few Days, if permitted to go about among their Friends, make up this Deficiency.

“ They positively deny having any Hand in the Commotions raised by Bulbudder, or that they carry on any Kind of Correspondence, or have any Intercourse with him or his Adherents; so far from it, they have desired me to acquaint you, it is their sincere Wish he was either taken or destroyed.”

Read, the following Extract, from Letter Book D. already delivered in, beginning at Page 16 of the same.

“ Captain Leonard Jaques, commanding at Fyzabad.

“ Sir,

“ I have received your Letter of the 13th instant. The Two Prisoners, Bahr and Jewar Ally Cawn, having violated their written solemn Engagement with me, for the Payment of the Balance due to the Honourable Company, on the Nabob's Assignments accepted by them; and declining giving me any satisfactory Assurances on that Head, I am under the disagreeable Necessity of recurring to Severities to enforce the said Payment. This is therefore to desire, that you immediately cause them to be put in Irons, and keep so until I shall arrive at Fyzabad, to take further Measures as may be necessary.

“ Lucknow,
18th March 1782.

(Signed) Nathl Middleton.”

Read, the following Extract from Mr. Middleton's Letter Book A. already delivered in, beginning at Page 165 of the same.

“ Nathaniel Middleton Esquire, Resident at the Vizier's Court.

“ Sir,

“ Allow me the Honour of informing you, that the Place, the Prisoners Bar Ally Cawn, and Jewar Ally Cawn are confined in, is become so very unhealthy from the Number obliged to be on Duty in so confined a Place, at this hot Season of the Year, and so situated that no Reduction can with Propriety be made from their Guard, it being at such a Distance from the Battalion.

“ I shall be glad of your Permission to remove them to a House more contiguous to the Battalion Lines, and where they will be in more Security, with One-third of the Number, than they are at present.

“ I am also to inform you, that some Nights ago, I found it necessary to march the Half of my People off Duty to prevent a Set of Thieves plundering the Out-skirts of the Town, of which they soon had Notice, and ran off without having done any other Harm than wounding of the Mul-vah's People. In consequence of this, and your Orders to render the Nabob's Officers what Assistance I could, I have ordered Rounds to go during the Night over the different Parts of the Town, where it appears to me there is any Likelihood of their being troublesome. This, I flatter myself, will have the intended Effect, as I have not heard any Thing of them since my Rounds have gone. I am also to request you will inform me, if what I have done in this Particular is to your Wish.

“ I have the Honour to be, Sir,

Your most obedient humble Servant,

“ Palace, Fayzabad,
April 23d 1782.

(Signed) Leo^d Jaques Captain,
Commanding at Fysabad.”

The Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

Die Martis, 27^o Maij 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons acquainted the House, they would proceed with the Correspondence between Mr. Middleton and Captain Jaques, previous to the Cross Examination of Captain Jaques by the Counsel for the Defendant.

Read, the following Letter, from Captain Jaques to Mr. Middleton, dated the 18th of May 1782, from Book A, already delivered in, beginning at Page 8 of the same.

“ To Nathaniel Middleton Esquire, Resident at the Vizier's Court.

“ Sir,

“ The Prisoners Bar and Jewar Ally Khawn, who seem to be very sickly, have requested their Irons might be taken off for a few Days, that they might take Medicine, and walk about the Garden of the Place where they are confined, to assist the Medicine in its Operation. Now, as I am sure they would be equally as secure without their Irons as with them, I think it my Duty to inform you of this Request, and desire to know your Pleasure concerning it.

“ I have the Honour to be, Sir,

your most obedient humble Servant,

“ Palace, Fyzabad, May 18, 1782.

(Signed)

“ Leo^d Jaques,

Captain commanding at Fyzabad.”

Read, from Book D, already delivered in, Extract of a Letter from Mr. Middleton to Captain Jaques, dated Lucknow, 22d May 1782, beginning at Page 47 of the same Book.

“ To Captain Leonard Jaques, commanding at Fyzabad.

“ I am sorry it is not in my Power to comply with your Proposal of easing the Prisoners, for a few Days, of their Fetters.—Much as my Humanity may be touched by their Sufferings, I should think it inexpedient to afford them any Alleviation, while they persist in a Breach of their Contract with me; and, indeed, no Indulgence could be shewn them without the Authority of the Nabob, who, instead of consenting to moderate the Rigours of their Situation, would be most willing to multiply them.

“ Lucknow,
the 22d May 1782.

(Signed at the End) Nath Middleton, Resid^t, &c.” (a)

Read, Extract of a Letter from Captain Jaques to Mr. Middleton, dated the 25th May 1782, from Book A, already delivered in, beginning at Page 14 of the same.

“ Nathaniel Middleton Esquire, Resident at the Vizier's Court.

“ Hoolafs Roy went to the Prisoners last Night, immediately after he shewed me your Letter: The Occasion for which I conceive there was no Reason, as he or any other Person sent by you, or the Nabob, would have been allowed to go to the Prisoners whenever they pleased; and as to

(a) Vide Appendix, N^o LXXXIII.

easing the Prisoners of their Fetters, it is a Matter of the greatest Indifference. I only, in consequence of their repeated Applications, acquainted you thereof, as I did not think I ought to do any Thing in the Matter, of Course thought it my Duty to inform you of their Request.

" On the Arrival of Major Gilpin, I shall attend minutely to your Instructions in delivering up the Charge of the Killah and Prisoners, and every Instruction I have received." (a)

[At the End]

" Fyzabad,
May 25th 1782.

Leonard Jaques,
Captain commanding at Fyzabad."

Read, the following Letter from Nath. Middleton to Captain Jaques, dated the 22d May 1782, from Book D. already delivered in, beginning at Page 48 of the same.

" To Captain Leonard Jaques, commanding at Fayzabad.

" Sir,

" I have sent a Message through Hoolas Roy to the Prisoners Bahr and Jowar Ally Cawn.—Be pleased to give Orders that he be permitted to have Access to them to deliver it.

" Lucknow,
22d May 1782.

" I am, Sir,

Your most obedient, humble Servant."

(N. B. No Signature.)

Then CAPTAIN LEONARD JAQUES was called in, and cross examined by the Counsel for the Defendant, as follows :

Q. (*Cross examined.*) You have stated that the Begum's Ministers, during the Time of their Confinement, were attended by 40 or 50 Servants. In what Place were they confined ?

A. They were confined in Bahar Ally Khan's House.

Q. Whether that was not a spacious and elegant Palace, surrounded with a Garden of Seven or Eight Acres : Or what sort of a House was it ?

A. It was not very elegant, but very commodious, as the Houses are made in Indostan. The Garden, I presume, might be about Forty Yards Square ; then there were Out-gardens from that again, and Out-offices.

Q. What was the Amount of all the Gardens that belong to that House ?

A. I must confess I never attended to any Thing, but sheerly to the Place where the Prisoners were confined, and there was a Place where their Victuals were dressed ; and for other Purposes, they had several Houses.

Q. Was that House, in which they were confined, the ordinary Place of Bahar Ali Khan's Residence ?

A. I was told it was ; that it was a House he inhabited before he was confined.

Q. Whether any Restraint was put upon their Diet, or whether they had not a Table suitable to their Rank and Station ?

A. During my Abode at Fyzabad there was nothing of the Kind ; they were entirely at Liberty for their Servants to bring their Victuals, and they might have it as they pleased.

Q. Were they allowed to see Visitors ?

A. Hoolas Roy was left by Major Naylor, to make me acquainted with any Persons that were improper to speak to them ; but I do not recollect any one presenting themselves, to have Conversation with them, that ever was refused.

Q. Whether you recollect any Instance of their having their usual Amusements, Dancing, or any Thing of that Kind, while they were in Confinement ?

A. They never had any Thing of the Kind while I was there.

Q. They were in Irons ?

A. Some Time they were.

Q. Were they in Irons, or not, at the Time you were there ?

A. I deposed, the last Time I was here, that I was ordered by the Resident to put them in Irons.

Q. Were they in Irons, or not ?

A. They were in Irons.

Q. During the whole Time they were under your Charge, I have understood, hitherto, they were in Irons ?

(a) Vide Appendix, No LXXXIV.

A. I was ordered to put them in Irons; I did so; and they continued in Irons the whole Time, till I delivered them over to Major Gilpin.

Q. Were they allowed to see any Body, and entertain them with Balls; were Dances exhibited before them?

A. I do not recollect whether they ever desired to see any Thing of the Kind; there never was any Thing of the Kind; no Dancing.

Q. Were they, or were they not, in Irons, during the whole Time you had them in Charge?

A. They were not: I believe I might be a Month or Six Weeks, I cannot ascertain exactly, before I received the Orders for putting them in Irons.

Q. How long had you Charge of them in all?

A. I arrived there upon the 8th of February 1782, and took Charge of them and the Kella: And afterwards Major Gilpin took the Command, in consequence of being the senior Officer; I believe it was on the First of June following, or within a few Days of Four Months.

Q. So that for the First Six Weeks they were not in Irons?

A. I cannot exactly say, but it was after I marched there. I believe the Reason of their being ordered to be put in Irons was, in consequence of their not having made good a written Agreement for paying a Balance of 12 Lacks out of the 55 Lacks; I believe it was in consequence of that, I was ordered to put them in Irons.

Q. Whether, exclusive of the Circumstance of their being confined to the Limits of the House of Bahar Ali Khan, and Irons being put upon them, during Part of the Time you had them in Charge, they endured any other Hardship?

A. The Garden, which I observed was 30 or 40 Yards square, they had the Liberty of walking round; and there were no other Hardships, as I have already declared, used towards them, which I had the Charge of them, that I can charge my Memory with.

Q. Who had the Charge, or Superintendence of the Khourd Mahl, during the Time you was employed in this Service?

A. Lutaffit Ali Khan.

Q. Who was he employed by, do you know?

A. I understood he was employed immediately under the Nabob; and the last Day I was here, I deposed that Mr. Middleton or Mr. Johnson told me, we had nothing and could have nothing to do with them, it being a particular Business of the Nabob that the English could not interfere with.

Q. What was the Condition or the Situation of the People who resided within the Khourd Mahl?

A. A little Time before Major Gilpin took the Command, the People got upon the Tops of the Houses, and complained, and made a terrible Noise, signifying they were in great Distress for Want of Provisions; that they had disposed of the best Part of their Necessaries, and were then in a starving Condition.

Q. The Question is, what was the Description of the People who were in the Khourd Mahl, of what Rank were they?

A. I always understood those were the Nabob's Concubines; and that there were some of them who had had Children, and that they were also with them.—As to any Thing further it is entirely by Report; I can know nothing of that, for I never saw any of them.

Q. Did you understand they were Persons of Rank, or Persons of low Condition?

A. I have heard it said, but it is sheerly Hearsay, that Sujah Dowlah, when he was going any where, if he saw any Person that he thought was One he would wish for, his Servants were employed, and she was brought to this Place where they were put. As to Rank, whether high or low, I can say nothing about it.

Q. Was there a Difference between the Rank and Estimation in which the Persons who inhabited the Zenana were held, and those who inhabited the Khourd Mahl?

A. They are both called Zenanas; One is where the married Princesses reside, and the other is where the Concubines reside.

Q. Consequently they were in a different Estimation?

A. Clearly.

Q. One you considered in a superior Light, as a Part of the Family, and the other in an inferior Light?

A. Yes, surely; quite so.

Q. By whom, or from what Fund, was the Expence of this Khourd Mahl defrayed?

A. I understood, both from the Resident and from Lutaffit Ally Khan, there was a District assigned for the Maintenance of the Khourd Mahl; and the Person who had the Management of that was backward in his Payments; and I was always given to understand, the Fault was entirely his, or else the Nabob's, for not compelling him to fulfil his Duty.

Q. Whether

Q. Whether the Begums had any Thing to do with supplying the Maintenance of the Khourid Mahl?

A. Really I cannot pretend to say; but I never heard that they did.

Q. Whether the British Resident, or the Commander of the Troops at Fyzabad, or any other British Subjects, ever exercised any Interference in, or Controul over, the Khourid Mahl?

A. I have already deposed, that the Resident had wrote to me that the English could not interfere, directly or indirectly, with any Concern of theirs: and I never heard of their doing so, further than that Major Gilpin had prevailed upon the Resident to let him advance Lutaffit Ali Khan some Money for their Support.

Q. Whether the Women of the Khourid Mahl were not permitted to pass and repass freely from the Khourid Mahl at the Time the Guards were stationed near it?

A. I have already deposed, that I hired a Woman for the Purpose of examining the Doolies, to see whether Valuables were carried out; I had no Kind of Right to stop them one Way or the other, any further than if they carried out Valuables.

Q. Was that Examination exercised over those who passed backwards and forwards from the Khourid Mahl, as well as from the Zenana?

A. It was over all; all the Doolies were examined, to see if they were carrying Gold or Silver, or Valuables, out: If they were not, they were suffered to go.

Q. In what Building were the People kept that belonged to the Khourid Mahl?

A. It was called the Khourid Mahl.

Q. Where was it situated; in the same Place as the Zenana?

A. It was upon the left Side of the Gardens, of the Gate — I have forgot the Name of the Place now.

Q. Was it within the same Gardens?

A. On One Side of the Gardens, going from the principal Gate that went to the Kella; they were on the Left Side, and the Cofs Mahl, where the Begums resided, was upon the Right Hand Side.

Q. So they were both in the same Gardens?

A. Yes, on different Sides.

Q. And the very same Care was taken of the Doolies, whether they went from one Place or from the other?

A. Yes, they were examined before they went out; there was a large Garden between the Two Mahls, or Two Zenanas; it was a large Place; that which was called The Palace, is a Place, I suppose, not less than 700 or 800 Yards one Way, and, I suppose, 400 or 500 Yards the other Way; with a large Mud Rampart round it.

Q. You say, the same Care was observed with respect to the Doolies, whether they came from the one Place or the other?

A. Yes.

Q. If a Dooly is not a close covered Carriage of some Sort?

A. It is a Conveyance, made something like a very small Bedstead, not long enough to lay extended upon, but to sit upon; I mean the common Dooly; and it is carried with a great Stick, by Two Men before and Two Men behind, something in the Manner of our Chairs, only it is carried on Mens Shoulders, with a Cloth covered over, to prevent the People within from being seen.

Q. A small covered Chair?

A. Yes, something in the Nature of a small oblong Bedstead, rather longer one Way than the other.

Q. But covered, and closed up?

A. Yes.

Q. Whether the sole Purpose of placing the Guards round the Zenana, was not to prevent the Treasures of the Begums from being carried away: What were your Instructions upon that Subject?

A. The Tenor of my Instructions was, to keep the Three Prisoners, Bahar, and Jewar Alli, and Sumshire Cawn, and also to guard against the Treasures being taken out of the Zenana, out of the Palace.

Q. Whether the placing those Guards round the Zenana in any Manner caused or contributed to the Distresses of the Khourid Mahal?

A. I cannot conceive they could in the least.

Q. Whether the Begums ever sent the Women of the Khourid Mahl any Relief during their Distresses, or any Messages to you respecting them, while you were in the Command at Fyzabad?

A. What they might send it is impossible for me to know; they might send unknown to me; I never prevented People going in or out.

Q. Did they ever send you any Message about it ?
A. I do not recollect they did.

Q. Whether the Begums were, by the Seizure of their Treasure, from the best Information you have upon the Subject, reduced to a State of great Poverty and Distress ; or whether they afterwards continued to live in great Splendour and Affluence ?

A. The Begums were in the same Situation before I went, as they were at the Time that I resigned the Charge to Major Gilpin. As to how they were situated, it was impossible for me to know, as no Europeans ever had an Opportunity of seeing them ; nor any other Man, except their Fathers, Brothers, and Husbands. As to their Situation, I cannot ascertain further than this ;—I have no Reason to think they were in Want, except from their refusing to make good the Payment ; and I really was inclined to think, they could have paid it if they chose.

Q. But what Establishment, or Servants, had the Begums before you took Charge of the Palace ?

A. What Servants the Begums had, I cannot pretend to say, that were in the Palace ; without the Walls, there was a very great Number about them ; but the Number it is impossible to ascertain.

Q. Whether, as to all external Marks of State and Splendor, they were different from what they were before : Can you describe what their Marks of Splendor were, from the Manner of living of the Begums, when you had the Charge of them ?

A. They had Numbers of armed Men at their Gates, I saw, as I rode by the Begums House.

Q. What the Nature of the Establishment was within, you never had an Opportunity of knowing ?

A. I had not.

Q. You do not know whether there were Forty Servants or more ; or whether there were great Rooms or not ?

A. There must have been a great many more than Forty ; I cannot say how many : I had no Opportunity of knowing further than what I saw at the Gate.

Q. What Number of armed Men were those you observed upon the Outside of the Palace ?

A. I really cannot ascertain the Number ; I have seen a very great Number at one particular Time.

Q. Were they placed in the Manner of Guards ?

A. They were placed at the Gates ; and would oppose any Person offering to go in, that was not agreeable to them ?

Q. What Names did they go by ?

A. By the Names of Peons, Spear-men, and Matchlock Men.

Q. Were there any Nudjeebs amongst them ?

A. I understood always, those Matchlock Men were of that Quality ; they bore Matchlocks, which are Guns fired with Matches.

Q. Whether a Report did not prevail among the principal Black People of Fyzabad, that the Begums and their Eunuchs had given Signs of Disaffection during the Disturbances at Benares ?

A. I have heard those Things reported by some of the Black People.

Q. Do you know Hoolas Roy ?

A. Hoolas Roy was a Man left by Major Naylor to conduct the Business with the Prisoners.

Q. What has Hoolas Roy, himself, said to you upon the Subject ?

The Managers for the Commons objected to the Question.

Q. Whether Hoolas Roy was not one of the Persons who circulated that Report which was said to be general ?

A. I cannot say who circulated the Report. I have heard Hoolas Roy mention a Circumstance, which was corroborated by a Letter sent to me by the Resident, that there had been Letters intercepted between the Begums Ministers and Cheit Sing ; but how far this was the Case, I cannot pretend to say.

Q. Whether you ever understood from Hoolas Roy that he had in Fact ever made an Affidavit ?

A. I never heard a Thing of the Kind drop from his Mouth, that I recollect.

Q. Whether, while you was at Fyzabad, you ever wrote to Mr. Hastings, or transmitted any Letter to Mr. Hastings from the Begums or their Ministers ?

A. I never did that I recollect ; and I certainly should have recollected it, if I had done any Thing of the Kind.

Q. Whether, in all the Transactions at Fyzabad, you did not act entirely under the Orders of Mr. Middleton or Mr. Johnson, or of the Military Commander, and not in consequence of Orders received from the Governor General and Council at Calcutta, or the Governor General himself?

A. My Orders were immediately from the Resident at Lucknow; whoever was Resident, I understood I was to receive my Orders from him, and from no other Person: The commanding Officer, to whom I was to report, was also to receive Orders from the Resident.

Q. I understood you before, that you had made your Reports, with respect to the Prisoners, to Mr. Johnson and Mr. Middleton.

A. I did: They were the Two Persons from whom I received my Orders.

Q. Because you are now understood to say, you made all your Reports to your own Military Officer?

A. No: Only of the Detail of my Corps; the others I made to the Resident.

Q. It having been suggested that Shumshire Cawn was taken into Custody for a short Time, and then enlarged, and that he was not in your Custody; did not Shumshire Cawn continue in your Charge during the whole Time the Two other Prisoners were continued under your Charge, till they were turned over to Major Gilpin?

A. To the best of my Recollection, I received him from Major Naylor, and I delivered him over to Major Gilpin.

Q. Did you not keep him in Custody the whole Time?

A. The Whole of the Time, I believe.

Q. Do you remember any Drought in the Country of Oude, or any other Part of India, in 1779, or 1780, 1781, or 1782? Was you, during those Four Years, in the Country?

A. I was.

Q. Do you remember, in any of the Seasons of those Four Years, a remarkable Drought there?

A. Really I cannot answer exactly as to that; I recollect going to Fyzabad in 1782; it was by no means in so flourishing a Condition as it was when I was there in 1773.

Q. Was that Decay which you observed in 1782, attributed to any remarkable Drought, a Defect of the Season, or to what other Cause?

A. I cannot charge myself to answer that Question.

Q. You understand the Word Drought?

A. I understand the Word very well; but I cannot charge my Memory with it.

Q. What Sort of a Decay was it? Were there fewer Houses?

A. I observed it was not so well tilled, so rich, or flourishing; but from what Cause it was, I cannot pretend to say: The Tillage mostly there, is Water drawn from the Wells, except close to the Banks of the River.

Q. Did you observe whether the Want of Tillage was occasioned by the Want of Hands and Labourers, or by the Want of Wells and Canals, where it was not carried from the Banks of the River?

A. I really cannot pretend to say, whether it was Want of Hands, or not; the Country seemed to be well filled with People, as I marched.

Q. Do you know any Thing of any regular Establishment of the Nabob's Cavalry?

A. I do not.

Q. (by a Lord.) When you relieved Major Naylor, whether you received any other Instructions than those, to take the Charge of the different Buildings or Enclosures of the Zenana and Khourd Mahl; because it is mentioned, in a Letter from you to the Resident, that you desired an Allowance of Money for providing Ammunition; and, I think, it is said upon Account of Instructions you received: What other Instructions did you receive from Major Naylor, when you succeeded to that Command?

A. Major Naylor delivered up the Charge of the Prisoners; I was ordered to take Charge of the Palace, and to supply the Guards that I relieved, which had been placed there by Major Naylor; and I was to receive further Instructions from Mr. Bristow, as I observed before, regarding those other Charges; my Battalion was then newly divided, it was one Battalion formerly, and at the Time I took the Command it was divided into Two; there were then about 700, but in consequence of the Division they were raised to a Thousand Rank and File; the best Part of my People were Recruits. I had not above 50 or 60 Men that I conceived had ever fired; it was in consequence of this I required the Ammunition.

Q. Whether you know there was any other Order than those for the Care of the Zenana; can you explain why you put your Battalion into any particular Order, in consequence of the Instructions you received from Major Naylor?

A. In the Letters I wrote to the Resident, I believe I mentioned every Particular.

Q. (b)

Q. (*by the Managers.*) You have stated, that you never prevented any of the Women from leaving the Zenana; that they were not confined; that any Person that chose it might come out, only being searched, to prevent their taking out Valuables. Explain this Letter of the 21st February 1782.

" To Richard Johnson Esquire, Resident at the Vizier's Court.

" Sir,

" Enclosed, I beg leave to transmit you a Chit sent to me by Lattafit Ally Khawn, Head Durogah of the Kourid Mhal, who has represented to me that a Number of Women who went into the Zenanah to see their Relations, are ready to lie-in, and wish to come out of the Zenanah for that Purpose. He has applied to me to order their Release; but as I do not think I am authorised so to do, from the Nature of the Instructions received by me from Major Naylor, I request your Instructions, how I am to act.

" Palace, Fyzabad,
February 21st 1782.

" I have the Honour to be,
Sir,

Your most obedient humble Servant,
(Signed) Leo^d Jaques, Captain
2d. Batt. 20th Reg. Sepoys." (a)

By this Letter, it seems as if it was impossible for a Woman with Child to come out of the Zenana, without a particular Licence given — Do you recollect how that is?

A. Immediately upon my going there, I was not quite so well acquainted with the Resident's Wishes as I was afterwards; of Course, as to those Points I was not thoroughly acquainted with, I took the earliest Opportunity of informing myself. Lettaffit Ali Cawn knew that the Doolies were examined, and most probably he did not wish that some of those People should be examined.

Q. Whether you received any Answer to that Letter, authorising you to let Persons go in and out, and those People in particular?

A. I really conceive I must have received a Letter in Answer to that; but the Spirit of my Orders was sheerly to prevent Treasure and Valuables coming out: I had no Orders to keep any Body from coming out, except they were carrying Valuables.

Q. Then you now state, that all the Friends of the Prisoners were allowed to have free Intercourse?

A. If you please, I will mention one Thing that will set that Matter right; whoever Hoolas Roy said might come in, I was authorised to admit.

Q. By a List, or by Directions from Hoolas Roy?

A. I had no List: Hoolas Roy was a Person left with me to direct who should, and who should not go in.

Q. Therefore the Liberty you mean was, a Liberty for all whom Hoolas Roy did not forbid?

A. Yes.

Q. When any Person applied to come in, were they ever permitted to go, without previous Application to Hoolas Roy, to know whether it was proper?

A. There were none refused, except they appeared to be improper Persons to be admitted; there were many People went in and out.

Q. What was that Appearance which made you determine them to be improper Persons?

A. If there had been any armed Men, I should not have suffered them to go in, without consulting Hoolas Roy; if there had been any other great Men, as I had generally People about me who had a tolerable Knowledge of the People belonging to that Place, if there had been any that seemed to be of high Rank and Condition, I should not have admitted them, without having consulted Hoolas Roy, whether it was proper for them to go in or not.

Q. Did he permit Letters to pass to and from those Persons?

A. Not Letters: I stopped all Letters.

Q. All Letters?

A. Yes, all Letters that appeared to be of a suspicious Nature.

Q. What were the Things that determined your Judgement of the Letters that were stopped?

A. I had a Moonshy to read them.

Q. To read the Inside of the Letters, as well as the Directions without?

A. To read sufficient.

Q. To open them?

A. There are many Letters that come within an outside Paper, sealed, and you may easily draw out the Letter without breaking the Seal.

Q. Suppose a Letter had appeared to you doubtful, should you have gone to Hoolas Roy about that? Did you ever apply to Hoolas Roy to know, whether you should deliver any Letters that were brought there or not?

A. I believe I very often did. There was one Thing I would wish to mention; there were many Letters, and little Notes, on trifling Subjects, coming from one Merchant to another, and from one Servant to another; those Things we were able sufficiently to understand, without the Trouble of opening them.

Q. Without the Trouble of opening them?

A. Many that the People knew what might be in them.—Nothing that would militate against my Instructions.

Q. Have you a Copy of the Instructions that were given you?

A. I really do not know that I have any Copy of them.

Then the following Letter was read from Mr. Middleton's Letter Book A, already delivered in, beginning at Page 100 of the same Book.

“ To Richard Johnson Esquire, Resident at the Vizier's Court.

“ Sir,

“ Enclosed I beg leave to transmit you a Letter from the Two Prisoners, Bar Ally Khawn, and Jewar Ally Khawn, in Answer to One they received from you this Morning, which they would have not received had I not known it was from you, conceiving it was contrary to my Instructions, which are to prevent their having any Intercourse with their Adherents.

“ I have the Honour to be,

Sir,

Your most obedient,

humble Servant,

(Signed)

Leo^d Jaques, Captⁿ

2^d Battⁿ 20th Reg^t of Sepoys.”(a)

“ Palace, Fyzabad,
February 22d 1782.

Then the following Question was put to the Witness.

Q. What Answer did you receive to this Application to Mr. Johnson?

A. I was directed in it to admit none but those that Hoolas Roy approved of; I believe that was the Answer.

Q. Have you that Answer?

A. I believe I have nothing of the Kind.

Then the following Extract of a Letter from the Witness to Mr. Middleton, dated Fyzabad, 23d April 1782, was read from Book A, already delivered in, beginning at Page 163 of the same.

“ Nathaniel Middleton Esquire, Resident at the Vizier's Court.

“ Sir,

“ Allow me the Honour of informing you, that the Place, the Prisoners Bar Ally Cawn, and Jewar Ally Cawn are confined in, is become so very unhealthy from the Number obliged to be on Duty in so confined a Place, at this hot Season of the Year, and so situated that no Reduction can with Propriety be made from their Guard, it being at such a Distance from the Battalion.

“ I shall be glad of your Permission to remove them to a House more contiguous to the Battalion Lines, and where they will be in more Security, with One Third of the Number, than they are at present.(b)

(Signed at the End)

“ Leonard Jaques, Captain
commanding at Fyzabad.”

Then the following Question was put to the Witness.

Q. You have stated that the Prisoners were not treated with any Degree of Severity; do you remember whether you received any Answer to that Application?

A. I do.

Q. What was that?

A. To remove them.

Q. Where did you remove them to?

A. I removed them to Jewar Ali Cawn's House; a very elegant commodious House, lately built, close by where I resided myself, and where the Battalion was.

Q. Where was the unhealthy Place you removed them from?

A. Bahar Ali Cawn's House.

Q. You have appeared to say, that no Severity or Hardships were used towards those Prisoners; explain this Passage in Mr. Middleton's Letter of the 22d of May 1782, to you, toward the latter

(a) Vide supra, Page 855.

(b) Vide supra, Page 856.

End of their Confinement: "I am sorry it is not in my Power to comply with your Proposal of easing the Prisoners for a few Days, of their Fetters.—Much as my Humanity may be touched by their Sufferings, I should think it inexpedient to afford them any Alleviation, while they persist in a Breach of their Contract with me." (a) When Mr. Middleton expresses his Humanity so touched with their Sufferings, to what could he allude, if the Prisoners never suffered any Hardships of any Sort?

A. I have already repeated several Times, that I was ordered to put them in Irons; this you have been sufficiently acquainted with, I presume; and, except those Particulars, I know of no Severities that were used towards them. I take it, that was an Application upon Account of their Sickness.

Q. You have talked of a spacious Garden which the Prisoners had the Use of. You say, in your Letter of the 18th May 1782, to Mr. Middleton, that "The Prisoners Bar and Jewar Ally Khawn, who seem to be very sickly, have requested their Irons might be taken off for a few Days, that they might take Medicine, and walk about the Garden of the Place where they are confined, to assist the Medicine in its Operation. Now, as I am sure they would be equally as secure without their Irons as with them, I think it my Duty to inform you of this Request, and desire to know your Pleasure concerning it." (a) Did you receive any Answer to that Letter?

A. I did.

Q. Do you know where it is?

A. The Answer has, I believe, been read.

Q. Whether you ever had any Complaint of Hoolas Roy of his ill-using and beating the Servants of Bahar Ally Cawn and Jewar Ally Cawn?

A. There is a Circumstance, with respect to the Behaviour of Hoolas Roy, that your Lordships may not think so well to go into; it is of some Length; it was respecting the Gunge, a Market, that they had the Profit of, that Hoolas Roy had interfered in a Manner I thought was not right.

Q. The single Question now put is, whether you recollect any Instance of ill Treatment inflicted by Hoolas Roy, upon the Servants of Bahar or Jewar Ali Cawn?

A. I did not conceive it to be of beating the Servants of Bahar and Jewar Ali Cawn; there was something, whether it went the Length of beating I cannot say: It was not within the Palace, but within the Walls of Fyzabad.

Then the following Extract of a Letter from Capt. Leonard Jaques, dated, Fyzabad, 30th May 1782, and addressed to Nath. Middleton Esquire, Resident at the Vizier's Court, was read.

"To Nathaniel Middleton Esquire, Resident at the Vizier's Court.

"Sir,

"I have desired Lieutenant Gawen to send you in his Bill, for the Expence he has been at during his Command, in which some Repairs to the Gun will be included; and, immediately on Major Gilpin's Arrival, I shall send you in my Bill, for every contingent Expence I have been at since the First of April last. Agreeable to your Desire, I now beg Leave to inform you of the Particulars of Hoolas Roy's Behaviour to me, and which are as follows: Soubah, who had been Chowdry of Begum Gunge upwards of Fifteen Years, and displaced by Hoolas Roy, came to complain, that his Mother, and some of his Servants, had been beat and abused by Hoolas Roy's Servants; acquainting me at the same Time, that their Reason for so doing, was his being much liked by the black People, who did not behave to the new Man so well as they had done to him; and that this occasioned Hoolas Roy to suppose him necessary thereto. Hoolas Roy happening to be with me a Day or Two after, I asked him about it; when he got very warm, observing, he did not expect, when he came to me, that he was to be questioned about every Complaint that might be preferred, and that he would write to you on the Occasion. His Behaviour, in short, was such, as induced me to enquire, very minutely, into the Matter; when I found, that what the Chowdry told me, was very true, and that he had been very ill used by Hoolas Roy. In consequence of this, I asked Jerrou Sing (under whom the Gunge was, that this Man had been Chowdry to so many Years) about the Man: He told me, he was a good Man, and that his Father was then in his Employ, and that he gladly would replace him; which he did. Hoolas Roy, nettled, I doubt not, at this, in a Day or Two after, meeting, at different Times, my Orderlies and Hircarrahs, thought proper to question them about the Business I had sent them upon, though entirely foreign to any Concern of his; and used threatening Language to one or two who happened to be near his House of Abode. His Reasons for so doing I cannot tell; but shall enquire, if you approve thereof.

"I have the Honour to be, Sir,
your most obedient humble Servant,
(Signed) Leonard Jaques,

"Fyzabad, May 30, 1782.

Captain commanding at Fyzabad."

(a) Vide supra, Page 857.

Then the following Question was put to the Witness :

Q. You have stated, That, in consequence of your Orders, you examined the Doolies that came from the Khourd Mahl; Whether you did not know that the Women confined in the Khourd Mahl, had some Property and Valuables of their own?

A. I do conceive they must have had something: I can give very little Information with respect to what they had. I have already deposed, that Letaffit Ali Cawn complained they had sold almost every Thing that they had; and that they also called out from the Tops of the Houses, they were in a starving Condition.

Q. What Instructions or Means had you to distinguish any Goods and Valuables, carried out of the Khourd Mahl, whether they were the Property of the Begums, or of the Women of the Khourd Mahl, or of the Visitors in the Zenana?

A. I should have stopped Valuables, let them belong to whom they would, till I had had Mr. Middleton's further Instructions about them.

Q. Have you heard whether the Nabob had any Claims under the Mahommedan Law to the Property of those Women of the Khourd Mahl, or to their Effects of any Sort?

A. I always understood, but it is sheerly from Hearsay, that they were altogether the Nabob's Treasures.

Q. Was you informed of any Ground or Reason for seizing the Property of the Khourd Mahl, or was any seized that you know of, or heard of?

A. I never found any Thing that I had Occasion to stop from the Khourd Mahl.

Q. Do you know of any Body having stopped or seized any Thing, Treasures or what else, from the Khourd Mahl?

A. I do not.

Q. You never stopped any Valuables; do I understand you right?

A. I never heard of any Thing found in the Khourd Mahl that was seized.

Q. Did you ever stop any Thing that came from the Khourd Mahl?

A. I do not recollect that I did; nor do I recollect stopping any Thing from the Coss Mahl; for they knew my Orders pretty well, and took care accordingly.

Q. Was it frequent to stop the Doolies?

A. I believe, scarcely a Day passed without.—I beg to offer one Observation: From the Time of my writing the Letter to Mr. Middleton, till I had his Answer, there were no Doolies allowed to go out till I received his Instructions; till he chose to pay me the Bill; I did not chuse to pay those Women any longer to examine them, till he agreed to pay my Bill.

Q. How long was that Period?

A. I suppose, about Three or Four Days.

Q. Whether you ever saw or heard of any Treaty with Mr. Middleton, by which the Maintenance of the Women in the Khourd Mahl was guaranteed to them by the English?

A. I have deposed, that I was written to by Mr. Middleton or Mr. Johnson, telling me, we could have nothing to do with the Women of the Khourd Mahl, either directly or indirectly, regarding their Maintenance.

Q. Whether you heard that the Assignments made for the Maintenance of these Women were punctually applied to that Purpose?

A. I have already deposed they were not; but where the Fault lay, except between the Nabob and Collector, I do not know.

Q. Do you know the Lands out of which those Assignments were payable?

A. I do not.

Q. Do you know whether they ever were seized by Order of Mr. Middleton?

A. I do not.

Then the following Extract of a Letter from Major Gilpin to Mr. Johnson, dated the 4th of July 1782, was read.

“ If nothing else will do, Recourse must be had, for which I have the Sanction, to putting a Guard upon the Palace Gates of the Elder Begum, and straitening the entering of Provisions for a Day or Two.”

Then the following Question was put to the Witness :

Q. Whether any such Orders were given as these?

A. I cannot charge my Memory with any Thing of the Kind.

Q. How came your Battalion to be reduced in the Manner you have described?

A. I should have told you in about Five Minutes, if I had gone on with my Evidence. My Battalion had been Part of a Battalion of 700 Men; it was augmented, in consequence of the

Division

Division which took place, to 1000, and there were 500 to each Battalion. There were a Number of Recruits; I had not above Fifty of the old Sepoys in my Battalion.—

Q. How came they to be reduced to Fifty?

A. In consequence of the Draughts from the Battalion, before they were formed into a Regiment, most of the old Sepoys had been taken away: and in the latter End of 1780, or the Beginning of 1781, it was found necessary to augment the Establishment of the Army; and that which had been a Battalion of Sepoys before, was augmented to a Regiment consisting of Two Battalions; a great many of the old Sepoys were continually draughted to other Places, and there were a great many new Sepoys at this Place.

Q. In 1780, or 1781, you say there was a general Augmentation of the Army; and between that and 1782, many Draughts had been made from that Battalion so augmented, by which Means your Battalion was reduced—Is it so?

A. Yes; and in consequence of Major Naylor having been very particular and careful, with Twice the Number of Men, and Two Guns, I concluded it my Duty to take every possible Means I could to get my Battalion into a defensive Situation. I found a great deal of Powder and Lead there; and I converted the Lead into Balls, and made up Cartridges, and practised my Men. This is the Circumstance I alluded to and mentioned in my Letter to Mr. Middleton, and which I thought necessary to have refunded.

Q. How came your Battalion to be composed of Recruits so undisciplined?

A. The Draught had been made before the Battalion was made into a Regiment.

Q. (*Cross-examined.*) Whether the Object of this Examination and Search of the Doolies was not the Detection of the Begum's Treasure only, and not applied to the Khourid Mahl?

A. That I believe was the Object.

Q. What do you mean by the Admission of proper, and the Exclusion of improper Persons; it with Reference to Rescue of the Persons under Confinement; by improper Persons, do you mean those that would have made a Danger of a Rescue, or do you mean any other Description of Persons whatever?

A. Those that would have been dangerous in point of Rescue, I conceived to be the most particular, which I should attend to; but upon many other Occasions there might be such People as it might have been improper for them to consult with.

Q. You have said already, you thought you should not admit any Body of Rank or Consideration, till you had first of all consulted Hoolas Roy; was that the Idea you entertained?

A. That was my Idea, and agreeable to my Instructions.

Q. How long did the Prisoners remain at Bahar Ali Cawn's House, before they were removed to Jewar's, which was the more commodious and better Residence?

A. I really cannot tell; I believe it was Eight or Nine Weeks, or a little more. The Letters will ascertain it.

Q. What was the Extent of the Garden in Jewar Ali Cawn's House?

A. There were two or three Gardens, all of which opened into each other. I suppose the Length of the Gardens might extend to sixty or seventy Yards, and they might be about thirty Yards deep.

Q. Do you mean all the Gardens together?

A. I reckon them all together.

Q. Whether they were, in Fact, prevented from walking about the Gardens of Jewar Ali Cawn's House?

A. They were not prevented walking about with their Irons on; but I could not take their Irons off, in Consequence of the Application.

Q. What were the Weight of their Irons?

A. I suppose they might be about Two Pounds; they were made fast with Couplets; they could not step above a Foot at a Time; they could not make a Pace of above a Foot.

Q. Do you know the Irons that are used in the Prisons in England; were they like those?

A. I cannot charge my Memory with what they are. I can describe the Irons as they were.

Q. Describe the Irons.

A. There was a round Ring to go round the Leg, with a Joint in it to admit the Leg, then the other Joint was brought to, and they were rivetted together; then there was a long Link to each Iron, and a Ring at the End of the Two Irons, and One Ring for the Centre, that is, Two Links and Three Rings.

Q. (*from a Lord.*) Whether Shumshire Cawn was confined in the House of Bahar, and also of Jewar Ali Cawn: was he removed from the House of Bahar Ali Cawn with the other Prisoners?

A. To the best of my Recollection he was; I never recollect a separate Place for either of the
Three;

Three; they were altogether in Bahar Ali Cawn's House, till they were removed to Jewar Ali Cawn's House.

Q. Was Shumshire Cawn in Irons?

A. I believe not; I think not.

Q. Recollect whether he was, or was not, in Irons.

A. I really believe not; but the Letter which is in Evidence will ascertain it; I think Bahar and Jewar Ali Cawn were the Two I was ordered to put in Irons.

Q. Why do you think so? Did your Orders apply to Bahar and Jewar Ali Cawn, exclusive of Shumshire Cawn?

A. I never considered Shumshire Cawn to be of that Consequence as Bahar and Jewar Ali Cawn; I expected I should, during my Command there, have had Authority to release him.

Q. Whether he was not equally capable of escaping, if not put in Irons?

A. I believe it would have been very difficult, it must have been a Miracle, for any to escape.

Q. Were any Means taken to prevent the Escape of the One, which were not taken with respect to the others, except the Irons?

A. None; they were all in the same Place.

Q. Do you understand that the Irons were to prevent their Escape, or for any other Purpose?

A. Severities are mentioned in the Letter.

Q. Whether Hoolas Roy had any direct Authority over the Prisoners, but such as he must have exercised through you?

A. He could not have done any Thing of the Kind without my Permission: They might talk to me, or he to them.

Q. But he could not constrain them, or inflict any Thing upon them, but through you?

A. No.

Q. Did Hoolas Roy, in Fact, refuse Admission, or admit Persons, without a personal Application to you?

A. I do not believe he did; my Sepoys would not have received any Orders but from me.

Q. I understood the Witness to have said, no Person was ever refused: I understand him now to have said, he does not imagine Hoolas Roy would have done so, without applying to him; but that the Sepoys might have admitted them without personal Application to him?

A. No, they would not.

Q. Not without applying to you?

A. There was a Subaltern Officer that mounted Guard, with such a Number of Sepoys, in the House with him.

Q. Do you understand that any Application was made to Hoolas Roy, so as to receive a Refusal, without first coming to you?

A. I do not recollect any Applications being made that were refused.

Q. Whether you are quite certain that no Person who did apply was, in Fact, refused?

A. Many might apply to Hoolas Roy, and I could not be answerable for it; but none applied to me, that was refused.

Q. You said, that nobody had Access to the Begums, or any Means of knowing what their Treasures were? Then what Foundation had you for supposing the Begums could have paid the whole Demand if they had been inclined to do so?

A. What Demand?

Q. The Demand made upon them by the Nabob of Twelve Lacks?

A. It must have been made through the Minister.

Q. The Question is this; you have said, you thought they could have paid that Demand if they would: Do you recollect having said that?

A. Yes.

Q. Upon what Foundation did you say that?

A. I have always understood from the different black People of Fyzabad, that Bahar Ali Cawn was worth a Crore of Rupees.—Jewar Ali Cawn was looked upon to be always poor: He had expended all his Money in Building.

Q. Was that the Foundation you went upon, in supposing the Begums could have paid if they would?

A. Yes; that was One; and besides, I have also understood that, upon the Death of Sujah ul Dowlah, there were a great many Crore of Rupees in the Zenana.

Q. In what Time could you receive Answers to your Letters from Mr. Middleton and Mr. Johnson? What Time would it take to write them and receive an Answer?

A. I

A. I believe in Two Days from the Night I wrote; it would arrive at Lucknow the next Night, and I should have an Answer the Night following, I believe.

Q. What Length of Time would the Communication take up between you and them, if you thought fit to consult the Governor General and Council at Calcutta, and to receive an Answer at Fyzabad?

A. I believe, within a Month.

Q. How many Miles had you marched from your Station to reach Fyzabad in the Country of Oude?

A. I was at Lucknow then.

Q. Then, did you observe any Symptom of Rebellion during your March from Lucknow to Fyzabad?

A. No; I did not observe any Thing of the Kind from Lucknow to Fyzabad. We had marched from Cawnpore, intending to go to the Jaghires; we were given to understand they were in Rebellion; but we turned off short to Lucknow.

Q. To your Knowledge, had you, at any Period during your Residence in the Country, observed any Symptoms of Rebellion?

A. We were ordered with the 20th Regiment to march, I believe it was the 23d of December 1781; we were ordered to march to the Jaghires, where I understood they were in Rebellion, to suppress that Rebellion; and when we had got 7 or 8 Co's from Dahnnow, we received Orders to march for Lucknow. I could not doubt there was a Rebellion, otherwise the Regiment would not have been ordered for that Service.

Q. Whether, in obeying the Orders given you by Mr. Middleton and Mr. Johnson, you did, or did not, consider yourself as obeying the Orders of the Governor General and Council at Calcutta, and that they were acting under the Orders of the Government at Calcutta?

A. Surely I did.

Q. Did not your Guard command the Zenana, so as to be an effectual Confinement to the Women within it?

A. My Orders were to stop Valuables. Any single Person, that chose it, might have gone out?

Q. You cannot mean that, during the whole Time you were there, any Person might have gone out; because you wrote a Letter, of the 23d of February, in which you say, you are not authorised to let any Women go out, of any Kind whatever, and desire to receive Instructions upon that Head. Do you remember that Letter?

A. The poor People never were prevented; it was those who went in Doolies that were examined.

Q. Attend to the Letter and the Period, and then say what you mean: The Question is this: Did you mean to say, before the 23d of February, there was the same open Passage backwards and forwards, as there was afterwards, for the Women in Doolies?

A. As to the poor People, and low Dependants, they were never prevented; but the Women in a more eligible Situation, and Women of high Rank or Delicacy, would not go exposed.

Q. Was the Confinement as easy before the 23d of February, as after?

A. If they had chosen to have gone out without Doolies, they might have gone out before.

Q. But if they chose to go out in Doolies, they could not have gone out before that Letter of the 23d of February?

A. Any Women that were so indifferent about themselves, as to go without being in Doolies, would never have been prevented either before or after; but those who really did not chuse to be seen by every body, could not go out before or after without being examined, because Doolies, as it is in my Letter observed, might carry out Valuables.

Q. But the Question is, Whether, without Examination, they could have gone out before the 23d of February?

A. Yes; there were many went out before: It was in Consequence of Lettaffit Ali Cawn having applied to me for a Number of People to see their Friends, that I was doubtful of People having gone out, that probably it might not have been right to let go; and, that I might be cautious, and guard against doing any Thing improper, I applied to the Resident, and the Resident gave me Authority to let them go out.

Q. If I understand the Letter right, it implied, that nobody could go out before the 23d February 1782: You seem to express yourself there as not authorised to let those go out that wanted to go out; the Difficulty is, how you understood you were not authorised to let them out, if all might go out before the 23d February, subject only to that Examination?

A. In Consequence of having been applied to by Lettaffit Ali Cawn, for those Women going out, I thought it incumbent upon me to apply to the Resident to know his Will concerning it. I applied, and they were let go out; but, before that, there were many that were let out and in

in Doolies; those who went in in Doolies, we never troubled ourselves about; but, when any went out, I had them examined by the Women.

Q. You seem to say, that, under the Spirit of those Orders, this Searching was confined to the Women of Rank: Whether Women, going out on Foot, could not have conveyed Gold and Jewels, and Valuables, from the Zenana, as well as those that went in Doolies?

A. Surely they might; but my Orders did not lay me under the Necessity of stopping them.

Q. You did not stop those?

A. No; I do not recollect such a Thing as One being stopped, except those who went in Doolies.

Q. If you thought they might carry Valuables, why not stop them, as well as those that went out in Doolies?

A. If I conceived they had had any Thing about them, I should have stopped them.

Q. Whether the Claim you made for contingent Expences was allowed, and paid you by the Resident?

A. Yes; it was.

Q. You marched, as I understand, to a Place called Cawnpore; and, upon your Arrival there, instead of going on to suppress what is called the Rebellion in the Jaghires, you was ordered to Lucknow, and then to take your Station at Fyzabad; I wish to know whether it was not a false Alarm:—Whether you did not understand that the Cause of your March to the Jaghires being countermanded, was that it was a false Alarm, and that in fact there was no Rebellion?

A. The Station of our Regiment was under Colonel Morgan at Cawnpore; we marched Seven Cofs from Dalmow, from whence we had Orders from the Resident to march to Lucknow, the Resident and his Body Guard being gone to Fyzabad, that Lucknow might not be left without troops.

Q. Did you not understand at that Time that the Disturbance, whatever it was, was suppressed or over?

A. We did not conceive it suppressed.

Q. Did you hear of any Action or Battle afterwards at the Jaghires?

A. After the Resident arrived from Fyzabad at Lucknow, I was ordered to march to relieve Major Naylor; the other Battalion of our Regiment was ordered to march into the Jaghires.

Q. Did you see Major Naylor upon your Return to Fyzabad?

A. I do not recollect his coming to Fyzabad, after he left it upon my taking the Command.

Q. Did you see any Officer that had been with Major Naylor in that March to the Jaghires?

A. It was Major Gilpin that marched into the Jaghires.

Q. Did you see Major Gilpin after that?

A. Many Times.

Q. Was this after, or before the seizing of the Treasures?

A. I met 43 Lacks between Lucknow and Fyzabad.

Q. When was you ordered to march to assist in suppressing the supposed Rebellion upon the Retumption of the Jaghires?

A. We were ordered, I observed before, in December, I believe the 23d, to march to the Jaghires, and we marched One Day's March beyond Dahnaw; there we received Orders to strike off to Lucknow; and, in consequence of the Vizier's returning to Lucknow, and the Resident and his Body Guard, or a Part of it, with him, I marched to relieve Major Naylor; he went to his Command further into the Country, and Major Gilpin, with the other Battalion of our Regiment, marched to the Jaghires from Lucknow, and staid in the Jaghires till the Beginning of June, when he came to take the Command at Fyzabad.

Q. You said, you did not consider Shumshire Cawn to be a Man of the Consequence of Bahar and Jewar Ali Cawn; was any Money expected from Shumshire Cawn?

A. I do not recollect having had any other Instructions regarding Shumshire Cawn, but sheerly to detain him a Prisoner; I do not know any particular Reason for his being confined.

Q. Do you know whether he had Money, or not?

A. No, I do not.

Q. You had no Orders to put him in Irons?

A. To the best of my Remembrance, I had none: But that will appear from the Letter.

Q. (by Counsel). What was the Amount of the contingent Bill that was paid to you?

A. Really I cannot now tell; I believe about 300, or 400, or 500 Rupees.

Q. Whether

Q. Whether any Provisions were ever stopped from going into the Khourd Mahl?

A. None, that I ever heard of, or knew of.

Q. (*from a Lord.*) You say, while the Prisoners were under your Charge, they were under no Restraint in the Article of Diet; do you know whether they had any Difficulty in procuring Provisions, such as they wanted?

A. I do not conceive they had any.

The Witness was directed to withdraw.

The Managers for the Commons stated, they should now proceed to lay before the House the Correspondence between Mr. Middleton and Major Gilpin, previous to their calling Mr. Middleton upon that Subject.

Read, the following Extract of a Consultation of the 28th July 1783, from Book 81, already delivered in, beginning at Page 206 of the same Book.

“ Fort William, 28th July 1783.

“ At a Council; Present,
The Honourable Warren Hallings, Governor General, President;
Edward Wheeler, } Esquires.
John Stables, }
Mr. Macpherson indisposed.

Secret Dep.
Monday.

“ Sir,

“ I have received your Letter of the 20th instant. I thank you for the good News which it contains, and for the Prospect which it has afforded me of a complete and prosperous Termination of the Measures impending.

“ I desire that you will endeavour to dissuade the Nabob from concluding any Settlement with the Begums, until the Board, or myself, have been advised of the Amount of the Treasure recovered from them, and of the Balance due at the latest Period from the Nabob to the Company.

“ I hope to receive from you a Report of the final Issue of this Business, and of a Sum realized and in your Possession for our Relief, in time to send Advice of both, by the Packet now under Dispatch; and I shall keep it open until the 7th of next Month, but no longer, for that Purpose.

“ I am, Sir,

Your most obedient Servant,

“ (True Copy.) Nath. Middleton.

(Signed) Warren Hastings.” (a)

Read, the following Extract from Mr. Middleton's Letter Book A, already delivered in.

“ To Nathaniel Middleton Esquire, Resident at the Court at Lucknow.

“ Sir,

“ Agreeable to your Instructions, I went to the Prisoners, Bahar and Jewar Ally Cawn, accompanied by Hoolafs Roy, who read the Papers respecting the Balance now due, &c. &c.

“ In general Terms, they expressed Concern at not being able to discharge the same, without the Assistance of the Begum; and requested Indulgence to send a Message to her on that Subject, and in the Evening they would give an Answer.

“ I went at the Time appointed for the Answer, but did not receive a satisfactory one: In Consequence of which, I desired them to be ready, at the shortest Notice, to proceed to Lucknow; and explained to them every Particular contained in your Letter of the 1st instant respecting them.

“ Yesterday Morning I sent for I.ataffit Ally Cawn, and desired him to go to the Bhow Begum, and deliver the Substance of my Instructions to her; which he did, and returned with the enclosed Letter from her. From some Circumstances which I have heard To-day, I am hopeful the Prisoners will soon think seriously of their Removal, and pay the Balance, rather than submit themselves to an inconvenient Journey to Lucknow.

“ I have the Honour to be,

Sir,

Your most obedient humble Servant,

“ Fyzabad,
5th June 1782.

(Signed)

“ M. Gilpin,
Major Comd.”

Read, the following Extract from Mr. Middleton's Letter Book D, already delivered in.

“ To Major Martin Gilpin, commanding at Fyzabad.

“ Sir,

“ I have been favoured with your Letter of the 5th instant, informing me of the Steps you had taken in consequence of my Instructions of the 1st, and covering a Letter from the Bhow Begum, which is so unsatisfactory that I cannot think of returning an Answer to it. Indeed, as all Correspondence between the Begum and me has long been stopped, I request you will be pleased to inform her, that I by no Means wish to resume it, or to maintain any friendly Intercourse with her, until she has made good my Claim upon her for the Balance due.

“ I have now, in Conformity to my former Instructions, to desire that the Two Prisoners, Bahar and Jewar Ally Cawn, may be immediately sent under a sufficient Guard to Lucknow, unless, upon your imparting to them this Intimation, either they or the Begum should actually pay the Balance, or give you such Assurances or Security for the Assets to be immediately forthcoming, as you think can be relied upon; in which Case you will of course suspend the Execution of this Order——” (a)

The Counsel for the Defendant acquainted the House, that understanding the Honourable Managers meant to have called Major Gilpin, they had not objected, as they might have done, to the above-mentioned Letters being read from the private Letter Book of Mr. Middleton; that Major Gilpin was attending, and might speak to the Facts; but the Transcript of these Letters in the private Letter Book of Mr. Middleton was no Evidence; and they should have interposed before, if the Managers had not intimated that they would call Major Gilpin.

The Managers for the Commons said, they utterly denied having intimated to the Counsel that they intended to call Major Gilpin: As to the Letter Books not being Evidence; they had been admitted as Records throughout the Whole of the Proceedings upon this Article.

The Counsel for the Defendant observed, they had not renounced their Right to object to the Letter Books in question, when, in their Discretion, they should think fit so to do.

The Counsel for the Defendant being asked what their Objection was, made Answer, that they objected to the Transcript of a Letter in Mr. Middleton's private Letter Book being read, without any Proof being given of the Existence of the Original; and were heard in Support of the Objection.

The Managers for the Commons were heard in Answer.

Then NATHANIEL MIDDLETON Esquire was called in, and examined as follows:

Q. While you was Resident at Lucknow, Major Gilpin was One of the Persons employed under you at Fyzabad?

A. Yes.

Q. And he corresponded with you in the Course of that Employment?

A. Yes.

Q. What is become of the Letters he wrote to you in the Course of that Correspondence?

A. They are in the Office at Lucknow.

Q. And that is the Place where they ought to be preserved?

A. Yes.

Q. Are they all there?

A. I have no doubt they are all there.

The Witness was directed to withdraw.

Then the Managers for the Commons proposed to read a Letter from Mr. Middleton to Major Gilpin, dated Fyzabad, 9th June 1782, from Mr. Middleton's Letter Book D, already delivered in, beginning at Page 60 of the same Book.

The Counsel for the Defendant objected, that as to the Letter now proposed to be read, there was clearly no Evidence that the Original ever existed; if it did,

(a) Vide infra, Page 874.

Major Gilpin, who was attending, either had it in his Possession, or could account for its Loss.

The Managers for the Commons were heard in Answer to this Objection.

The House observed, that if the Objection was insisted upon, it must prevail.

Then the following Extract of a Letter from Major Gilpin, dated Fyzabad, 15th June 1782, and addressed to Nathaniel Middleton Esquire, was read.

“ Sir,

“ Indisposition prevented me replying to your Letter of the 9th instant, sooner.

Then the Managers for the Commons proposed to read the Letter of 9th June 1782, referred to in the Extract last read.

The Counsel for the Defendant objected.

The Managers for the Commons were heard in Support of the Evidence offered.

Then it was moved, that Mr. MIDDLETON be again called in; and being called in, he was examined as follows :

Q. What was your Mode of taking Copies of your own official Letters, when you wrote to any of the Persons belonging to the Government ?

A. They were taken by Writers in the Office, into a Book kept in the Office.

Q. Were they taken before your Letter was transmitted, or from any Copy of that Letter ?

A. In general, I imagine, they were taken from the fair Copy.—It was my Practice to make fair Draughts of the Letters I had Occasion to write.—Sometimes it might happen the Copies were taken from the foul Draught; but in general they were taken from a fair Draught, before it was transmitted.

Q. Were they taken before the Letter was transmitted, or after ?

A. It is impossible for me to say in all Cases.—In some Cases, no doubt, they were taken after the Letter was transmitted, from the foul Draught; but in general most certainly from the fair Copy, before it was transmitted.

Q. Are those Letters in your Books the original Copies you made, or Copies of those Copies ?

A. Copies of those Copies.

The Witnefs was directed to withdraw.

Then the Managers for the Commons were further heard in Support of the Evidence offered.

The House observed, that as yet the Paper produced had not been proved to be an authentic Copy; and the Objection being made, it was necessary to dispose of it according to the Rules of Evidence.

The Managers for the Commons desired Leave to retire for a few Minutes; and being returned, protested against there being any solid Objection to the Evidence offered; but waived their Right to produce it in present, to avoid a Discussion, which, if it should be found material at any future Period, they should hold themselves at Liberty to enter into more fully.

MAJOR MARTIN GILPIN was then called in; and being sworn, was examined as follows :

Q. Have you the Originals of the Correspondence which passed between you and Mr. Middleton, at the Time you were stationed at Fyzabad ?

A. I have.

Q. Where are they ?

A. They are in the Country: They were authenticated in the House of Commons; and I did not judge it of any Consequence to bring them from the Country, after they had been publicly authenticated, otherwise I should have had them here, and produced them before this Court.

The Counsel for the Defendant being asked, whether they meant to insist upon the Production of the original Letters, made Answer, That, if Major Gilpin had examined any Papers, which purported to be Copies of the Originals, and knew them

to be true Copies, they would not interrupt the Progress of the Proceedings with any Delay upon that Account.

The Managers for the Commons stated, that they could shew the Witness the very same Book which had been shewn to him in the House of Commons, and which, upon Inspection, he said, contained correct Copies of the Originals.

Then a printed Book was shewn to the Witness, and the following Question put to him.

Q. Did you compare those printed Copies with the original Letters ?

A. They were sent up to me, and I did examine them with my own Letter Book, and with the original Letters which I received from Mr. Middleton; and there was very little Alteration in any of them; indeed, none of any Consequence.

The Witness was directed to withdraw.

The Counsel for the Defendant observed, That the Evidence offered was not strict legal Evidence; but they would not object to its being received.

Read, from the Book shewn to the Witness, intituled, " Minutes of the Evidence taken before a Committee of the whole House of Commons, on the Articles of Charge of High Crimes and Misdemeanors presented to the House against Warren Hastings Esquire, late Governor General of Bengal," the following Letter, from Mr. Middleton to Major Gilpin, dated the 9th of June 1782, beginning at Page 72, the same Book :

" To Major Martin Gilpin, commanding at Fyzabad.

Sir,

" I have been favoured with your Letter of the 5th instant, informing me of the Steps you had taken in consequence of my Instructions of the 1st, and covering a Letter from the Bhow Begum, which is so unsatisfactory that I cannot think of returning any Answer to it. Indeed, as all Correspondence between the Begum and me has long been stopped, I request you will be pleased to inform her, that I by no Means wish to resume it, or to maintain any friendly Intercourse with her, until she has made good the Balance of my Claim upon her.

" I have now, in Conformity to my former Instructions, to desire that the Two Prisoners, Bahar and Jewar Ally Cawn, may be immediately sent under a sufficient Guard to Lucknow, unless, upon your imparting to them this Intimation, either they or the Begum should actually pay the Balance, or give you such Assurances or Security for the Assets to be immediately forthcoming, as you think can be relied on; in which Case you will, of course, suspend the Execution of this Order.

" I wish you, Sir, to explain Once more to the Prisoners the Imprudence and Folly of their Conduct in forcing me to a Measure which must be attended with Consequences so very serious to them, and that when once their Removal to Lucknow is effected, it will not be in my Power to shew them Mercy, or to stand between them and the Vengeance of the Nabob. Advise them to reflect seriously upon the unhappy Predicament in which they will be involved in one Case, and the Relief which will be in my Power to procure them in the other, and let them make their Option; but you will take care to convince them that this is the last Application which will be made to them. You will inform the Begum of these Instructions.

" I have nothing more to add, but that I rely greatly on your Abilities and prudent Management for a successful Issue to this Business. You are already informed that my immediate Object is, the Recovery of the Balance due from the Begum, as stated in my Letter of the 1st instant, and notwithstanding any Orders I may give you, I desire you will consider yourself to possess a discretionary Power to deviate from them as local Circumstances may require, and, in short, to pursue, unrestricted, such Measures as to your own Judgment shall appear best calculated to ensure the most certain and speedy Accomplishment of my Object.

" Lucknow,
9 June 1782.

" I have the Honour to be, Sir, your, &c.
(Signed) Nath. Middleton."

Read, from the same Book, the following Letter from Major Gilpin to Mr. Middleton, dated the 15th of June 1782, beginning at Page 73 of the same.

" To N. Middleton Esquire, Resident at the Court of Lucknow.

" Sir,

" Indisposition prevented my replying to your Letter of the 9th instant sooner.

" I explained every Circumstance contained in your Letter to Bahar and Jewar Ally Cawn relative to them; and as I could not draw a satisfactory Answer from them, I desired they would be ready to proceed to Lucknow on Monday Morning the 17th instant, and issued Orders for a Detachment to be in Readiness to escort them.

" Since which, various Messages and Plans for the Payment of the Balance were offered to me, both by the Begum and the Prisoners.

" In all of which, such a Length of Time was required by the Parties to discharge the same, that I could not, conformable to your Instructions, attend to them.

" They urged my addressing you on the Subject; but I assured them it was in vain; that I had already acquainted you they were to march on Monday, consequently it was not in my Power to keep them here any longer.

" Yesterday the Prisoners requested to see me, and in the Evening I went to them.

" They informed me that the Begum was very desirous to pay the Balance, but at present it was not in her Power to do it in Money; but that she would ransom the Zenanah for Kemcobs, Silks, Mullins, Cloths, &c. &c. to that Amount; and that she would even admit of a Deduction from the annual Allowance that would be made her for Subsistence in lieu of her Jaghire.

" I desired them to advert to the murmuring that the Sale of Articles on a former Occasion caused, which they themselves informed me of when I first demanded Payment of the Balance, and to the Reply I made them, which was, that a Gem To-day might be valued at 20,000 Rupees, yet if it was requisite to turn it into Cash, it might not sell for Half the Sum To-morrow; consequently, it was of no greater Value in Payment of that Nature than the Sum it actually sold for.

" That I was sure of the same Circumstance in the present Case, and therefore advised them to urge the Begum for Payment in Cash before Monday.

" I am yet hopeful that To-morrow will be a busy Day. In the Morning I shall send to know what Time of the Day they will see me, that I may bring the Officer commanding the Escort to take Charge of them, which will probably have the desired Effect.

" Fyzabad,
15th June 1782.

" I have the Honour, &c.

(Signed)

Martin Gilpin,
Major Comd.

Read, the following Letter, from Major Gilpin to Mr. Johnson, dated 20th June 1782, from the same Book, beginning at Page 74 of the same.

" To Richard Johnson Esquire, Act^r Resident at the Court at Lucknow.

" Sir,

" After the most urgent Arguments, both to the Begum and the Prisoners, Bahar and Jewar Ally Cawn, for the Payment of the Balance, I found it was in vain to expect Money from them, without using Severities I was not impowered to inflict.

" I therefore (conformable to Mr. Middleton's Instructions) ordered the Prisoners to proceed to Lucknow, under a strong Guard of Two hundred Men, commanded by Lieutenant Crow; and they marched from this on Tuesday the 18th instant, Two Cofs out of Town.

" When they arrived at the Ground, I wrote to Lieutenant Crow, and desired him to tell the Prisoners, if they would pay the Balance that I would order them to return; and requested he would explain the horrid Situation they must be in at Lucknow, probably for Life.

" Lieutenant Crow could obtain no other Answer, than it was not in their Power to do it; but they requested I would urge the Begum again for Payment; which I did, and had the following Answer:

" Release my Jaghire and my Cojahs, and then I will sell Goods to that Amount."

" Next Morning the Prisoners marched to Begum Gunge, when Lieutenant Crow begged them to consider their Situation, and offer Terms for Payment; that he would halt until he had an Answer from me; but they still declared their Inability.

" I sent again to the Begum, who returned me the same Answer as before.

" A Spy (that I had placed over the Prisoners, to attend to what Messages might pass between them and the Begum) informed me, that on their Arrival at Begum Gunge, they sent to the Begum, desiring her to consider, that their Situation grew more and more serious, and urged strong Arguments to induce her to pay the Balance; that if she did not, they must, at Lucknow, divulge every Secret to save themselves.

" From this Message I had hopes the Business would be settled, and I have waited in anxious Expectations of hearing from her all Day.

" The Cojahs one Day told me, that if I would pitch the Begum's Camp Equipage, and desire her to prepare for an immediate Journey, in all Probability she would pay the Balance due; however, I would not venture to take a Step of that Kind without your Orders and Authority, which, give me Leave to assure you, I shall be happy to receive, and that I will execute them with Pleasure.

" I have the Honour to be,

" Sir,

" Your most obedient humble Servant,

(Signed)

Martin Gilpin,
Major Comd."

" Fyzabad,
20th June, 1782.

Read,

Read, the following Letter from Mr. Johnson to Major Gilpin, dated the 24th June 1782, from the same Book, beginning at Page 74 of the same.

" To Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I have received the Honour of your Letter of the 20th. The Prisoners arrived here this Morning. Lieutenant Crow has delivered them over to Captain Waugh, and returns to you in a Day or two.

" I think their Hint to you a very good one, and worth improving upon; was the Bhow Begum to think that she must go to Allahabad, or any other Place, while her Palace is searched for the hidden Treasure of the late Vizier, it might go further than any other Step that can be immediately taken towards procuring Payment of the Balance outstanding.

" The Prisoners are to be threatened with Severities To-morrow, to make them discover where the Balance may be procurable, the Fear of which may possibly have a good Effect; and the Apprehensions of the Begum, lest they should discover the hidden Treasure, may induce her to make you Tenders of Payment, which you may give any reasonable Encouragement to promote that may occur to you.

" The Jaghire cannot be released to her on any other Terms, nor even to the Nabob, until the Five Lacks, for which it was granted, be paid up; and the Prisoners must also be detained until the full 55 Lacks be liquidated; consequently, nothing but the Fear of an Increase of Demand upon Breach of the First Engagement on her Part, will induce her to prompt Payment.

" I have, &c.

" Lucknow, 24th June 1782.

(Signed)

" R. Johnson."

Read, the following Letter, from Major Gilpin to Mr. Johnson, dated the 27th June 1782, from the same Book, beginning at Page 75 of the same.

" To Richard Johnson Esquire, Resident at the Court of Lucknow.

" Sir,

" This Morning I desired my Commandant would send for one of the Begum's Cojahs, and enquire after her Health; that I suppose she had forgot that I was here, and the Business I was ordered upon, by not hearing from her since the Prisoners went away.

" I desired him, at the same Time, to enquire what Camp Equipage and Carriage she had for it; and judging the Cojah would enquire the Cause of such a Question, I prepared him with a suitable Answer.

" The Cojah took the Alarm as I wished, and desired to know the Reason of such Enquiry: The Commandant (of whose Fidelity I have had long Experience) replied, 'I do not know; I was with the Major this Morning, when he received an Express from Lucknow, and, after reading his Letters, he desired me to make Enquiry about the Begum's Camp Equipage, &c.; and he only added, However disagreeable Orders might be, it was his Duty to obey them.'

" This Evening the same Cojah came to me, and told me, if I was at Leisure in the Morning, he would be glad to speak with me.

" From which I should imagine she has also taken the Alarm; and I acquaint you with the Particulars, that should you think a Hint to Bahar Ally Cawn requisite (from whom she has Accounts daily) that Orders were sent to me respecting the Begum, it might, at this Juncture, increase her Fears, and bring Matters to a speedy Issue.

" I have the Honour to be,

Sir,

" Fyzabad,
27th June 1782.

Your most obedient humble Servant,
(Signed) Martin Gilpin,
Major Comd."

Read, also, from the same Book, the following Letter from Mr. Johnson to Major Gilpin, dated the 4th July 1782, beginning at Page 75 of the same.

" To Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I received the Honour of your Letter of the 27th Ultimo; sincerely hope your Endeavours at Fyzabad may meet with some Success, as mine here, with the Prisoners, promise very little.

" If nothing else will do, recourse must be had (for which I have the Nabob's Sanction) to putting a Guard upon the Palace Gates of the Elder Begum, and straitening the Entrance of Provisions for a Day or Two, taking Care that no real Injury be suffered, only endeavouring to alarm by every possible Means.

" Lucknow,
4th July 1782.

I have, &c.

(Signed)

R. Johnson."

Read,

Read, from the same Book, the following Letter from Major Gilpin to Mr. Johnson, dated the 6th July 1782, beginning at Page 76 of the same.

“ To Richard Johnson Esquire, Resident at the Court at Lucknow.

“ Sir,

“ To give you a Relation of every Letter and Message that has passed between the Begum and me since my Letter of the 27th Ultimo, would be intruding on your Time to little or no Purpose.

“ It is however necessary to assure you, that I have done and said every Thing that Imagination could invent or suggest to induce her to pay the Balance.

“ One Day she gives me Reason to expect a Reconciliation and Payment, the next she expresses her Poverty and Inability without her Jaghire to mortgage for it.

“ In short, she is the most obdurate of her Sex; and I fear I must post a Company of Sepoys at the Old Lady's Gate To-morrow, conformable to your Letter of the 24th instant.

“ She has been so * told, that I have the Orders by me to remove her, and she declares she will put an End to her Existence rather than suffer it; but these are Words of Course in her Situation. * Sic in Orig.

“ The old Lady has offered me One Lack of Rupees to send for the Prisoners, to be paid in Twenty-four Hours after their Arrival at this Place.

“ I have the Honour to be,

“ Sir,

“ Fyzabad,
“ 6th July 1782.

Your most obedient humble Servant,
(Signed) M. Gilpin,
Major Com^d.

Read, the following Letter from Mr. Johnson to Major Gilpin, dated the 9th 1782, beginning at Page 76 of the same.

“ To Major Martin Gilpin, commanding at Fyzabad.

“ Sir,

“ I am honoured with your Letter of the 6th. The Lack of Rupees offered by the Begum, would be of little Consequence, if paid upon Condition of the Restoration of the Prisoners, through whom alone the whole Balance can be obtained, if it is obtainable. Unless therefore they will pay it without such Condition annexed, the Negotiation is fruitless.

“ I have this Day sent the Prisoners Word, that as they persist in declaring that they know of no secreted or deposited Treasure in the Hands of the Bhow Begum, excepting that which they have paid to the Company; and further, that they possess no Means of liquidating the Balance, which were the only Purposes for which I brought them from Fyzabad, and for the Fulfilment of which I would have interceded for the Remission of their Crimes against the Company; but this being now over by their Obstinacy, I should now send them to Chunar Gur, of which I gave them Four Days Notice, that as they were now about to be separated for ever from their Principals, they might have an Opportunity of communicating to them whatever they might have to say on such an Occasion.

“ This Message I now make you acquainted with, that you may mention their Departure from hence for Chunar in the same Light to the Begum. It possibly may have more Effect than any Restraint upon their Palaces at Fyzabad; for if they would give One Lack to have them returned to Fyzabad, they may possibly give the 6th to save them from a final Separation.

“ The precise Terms upon which they offered the Lack I do not clearly understand from your Letter; whether they would give it merely to have their Prison at Fyzabad instead of Lucknow, or whether any Sort of Enlargement is understood by it. In your future Letters, when you mention the Begums, I shall be obliged to you to distinguish them by the Appellation of the Bhow Begum and the Elder Begum; the First is the Wife of Sujah ul Dowla, the latter his Mother.

“ Lucknow,
9th July 1782.

I have, &c.

(Signed) R. Johnson.”

Read, also, from the same Book, the following Letter from Major Gilpin to Mr. Johnson, dated the 11th July 1782, beginning at Page 77 of the same.

“ To Richard Johnson Esquire, Resident at the Court at Lucknow.

“ Sir,

“ Finding every Effort to obtain the Balance from the Bhow Begum fruitless, I resolved on posting a Grenadier Company at the Gate of the Elder Begum's Palace, agreeable to the Tenor of your Letter of the 4th instant, which I did on the 9th in the Morning, but gave them no other Orders than to maintain their Post in case of any Opposition, and not suffer armed Men to enter the Palace.

“ About an Hour after, I had a Message from the Elder Begum, desiring me to go there, which I did immediately.

" I was conducted into a little Room, some Distance from the House, where I stayed about Six Hours, endeavouring to adjust Matters with the Cojahs [the Conveyancers of our several Messages] but returned without coming to any Agreement.

" All next Day was spent in the same Manner; but in the Evening the Bhow Begum came to the following Agreement:

" That I should write for the Prisoners Behar and Jewar Ally Cawn to be sent back to Fyzabad.

" That immediately on their Arrival she would deliver up all the ready Cash she had, towards the Payment of the Six Lacks and a Half.

" That what remained deficient, Goods should be sold to make good the same as soon as possible.

" That Mr. Johnson should nominate an Agent, who, with Behar Ally Cawn, should attend the Sales, or receive the Goods in Payment by their Approval.

" That she agreed to deliver up every Thing valuable in her Possession, to make good the same, which Bahar Ally Cawn only could come at.

" That the Guard should be withdrawn, until Mr. Johnson's Answer was obtained.

" That the Prisoners were (when the Balance was paid) to be enlarged.

" In consequence of these Proposals I withdrew the Guard last Night about Ten o'Clock.

" I have every Reason to believe the Bhow Begum will stand to this; and, from every Information, I do not believe we could come to a more speedy Conclusion of this Business.

" Soon after I had withdrawn the Guard, I received your Letter of the 9th, and communicated the Contents to the Cojahs, which will certainly have a good Effect.

" It was the Elder Begum that offered the Lack of Rupees to be paid for the Prisoners being carried to this Place, but it was to be considered in Part Payment of the Six Lacks and a

" I have the Honour to be,

Sir,

Your most obedient humble Servant,

(Signed)

" Martin Gilpin,

" Major Commanding."

" Fyzabad,

10th July 1782.

Read, the following Letter from Mr. Johnson to Captain Waugh, dated the 25th June 1782, from Book D, already delivered in, beginning at Page 66 of the same.

" To Captain Waugh.

" Sir,

" I conclude that Lieutenant Crow has delivered over to you Yesterday the Two Prisoners from Fyzabad; and have to request, that you will be pleased to send them under a proper Escort this Afternoon, so as that they may arrive before dark at the Bangalow, occupied until Yesterday by Mr. Swainston, where they will continue under your Guard.

" I have the Honour to be,

Sir,

Your most humble Servant,

(Signed)

R. Johnson,
Acting Resident."

" Lucknow,
25th June 1782.

Read, the following Letter, from Mr. Johnson to the Officer commanding the Guard, dated the 28th June 1782, from the same Book, beginning at Page 68 of the same.

" To the Officer commanding the Guard.

" Sir,

" The Nabob having determined to inflict corporal Punishment upon the Prisoners under your Guard, This is to desire, that his Officers, when they shall come, may have free Access to the Prisoners, and be permitted to do with them as they shall see proper; only taking care that they leave them always under your Charge.

" I have the Honour to be,

Sir,

Your most obedient humble Servant,

(Signed)

" R. Johnson, Acting Resident."

" Lucknow, the 28th June 1782.

Read, also, from the same Book, the following Letter, from Mr. Johnson to the commanding Officer of the Guard, dated the 23d July 1782, beginning at Page 85 of the same Book.

" To the Commanding Officer of the Guard.

" Sir,

" Some violent Demands having been made for the Release of the Prisoners, it is necessary that every possible Precaution be taken for their Security. You will therefore be pleased to be

very

very strict in guarding them; and I herewith send another Pair of Fetters, to be added to those now upon the Prisoners.

" I have the Honour to be, Sir,
Your, &c.
" Lucknow, the 23d July 1782. (Signed) " R. Johnson, Acting Resident."

Read, from Book A, already delivered in, the following Letter, from the Commanding Officer of the Guard to Mr. Johnson, beginning at Page 56 of the same Book.

" To Richard Johnson Esquire, Acting Resident.

" Sir,

" I have received your Instructions, and ordered the Fetters to be added; but they are by much too small for their Feet. The utmost Regard shall be paid to the Security of the Prisoners. I have sent back the Fetters, that you may have them altered, if you think proper.

" I have the Honour to be, Sir,
" Lucknow, 23d July 1782. (Signed) " Robert Steere Allen,
Lieut. 3d Regiment, commanding Guard."

Read, also, from the same Book, the following Letter from Mr. Johnson to Major Gilpin, dated the 17th July 1782, beginning at Page 78 of the same.

" Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I am honoured with your Letter of the 11th. I have no * Objection to the Begum's Proposal for liquidating her Engagements, than that they are indefinite in Period, and in some Measure as to the Means she is willing to declare in her Possession for the Balance, and that there is no Sort of Hold or Security for the Performance, beyond what I have possessed these Six Months past in vain—her Agreement, signed and sealed.

" I therefore request you will deliver her the following Answer:—That if Promises or Agreements, without other Security, were of any Value, the present Trouble and Vexation she submits to, and has brought upon herself, would have had no Existence; of course, that before I can in any Shape alter my Plan of pressing, by every Means in my Power, the Payment of the Balance, she must produce some responsible Security, which is always attainable by a Deposit of the Cash and Goods, in the Hands of some trust-worthy Shroff, or other considerable Person, who may thereby be induced to become responsible for the Payment.—

" This done to my Satisfaction, and a Time fixed for the final Disposal, at Profit or Loss, of the Goods, I am willing immediately to agree to and complete every other Requisition which she has made through you.

" I before understood that the Lack offered was in Part Payment of the Balance; all I meant to ask, whether the Eunuchs were claimed to be enlarged upon it, or only to be returned Prisoners to Fyzabad? If the latter is the Case, and that the Elder Begum will pay One Lack, and that at the same Time their Preference shall appear absolutely necessary to take out or dispose of the Goods, &c. I will of course accept this Lack, which upon this Footing, in a Two-fold Light, must accelerate the Business.

" I suppose you have learnt nothing further of the Effect upon the Bow Begum, of the Threat of sending the Eunuchs to Chunar.

" Lucknow, I have, &c.
17th July 1782. (Signed) R. Johnson."

Read, also, from the same Book, the following Letter from Mr. Johnson to Major Gilpin, dated the 22d July 1782, beginning at Page 79 of the same.

" To Major Gilpin, commanding at Fyzabad.

" Sir,

" I am just honoured with a Letter from you, without Date, informing me that the Bow Begum now demands the Release of her Jaghire, and of the Prisoners, as Preliminaries to the final Adjustment of the ready Money Balance due from her. Her altering her Terms as soon as she perceived any Appearance of smoothing her own Proposals, proves the Necessity of my Caution in not trusting implicitly to her Promises, and requiring some Security for Performance upon her Behalf, previous to the Accomplishment on my Side of her Claims. However, all Negotiations seem now out of the Question by the present new Demand of the previous Release of her Jaghire: She and her Agents made so bad a Use of the Power and Force she possessed with the Jaghires during the late Troubles, to the almost total Subversion of the Nabob's Government, joined with so glaring an Opposition to the English Interest, that neither Party can ever again consent to her being replaced in so dangerous a Situation.

" This Claim, therefore, is admissible in no Extremity; independent of which, the Jaghire is the only real Security I possess for the certain Collection, although in a dilatory Mode, of the
Six

Six Lacks and a Half due upon the ready Money Payment, and almost Three Lacks and a Half upon a separate Order of Five Lacks, payable from the resumed Jaghire; and the Possession of the Prisoners and Palace are further Securities.—Was I voluntarily to relinquish these, in Exchange for some more Papers or Words of the Bhow Begum's, I should most certainly throw the Company's Assignments into a Risk that I could never answer; and it is very little short of Certainty, that Ten Lacks of the Company's Balance would, by such Proceeding, be irrecoverably lost. To these Preliminaries, therefore, I can by no Means assent; and if no ready Money is to be procured from the Bhow Begum, or her Agents, I must be satisfied to remain in Possession of the Palace, Prisoners, and Jaghire, and continue collecting by Degrees that which cannot be more speedily acquired.

“ With regard to Threats of Resistance, they must (as far as I may be able to judge at this Distance) consist in mere Shew; if they did not think fit to resist when they had between 7 and 10,000 armed Men assembled, and we not yet in Possession of the Palace and Avenues, there is very little Probability of their attempting it when we are in full Occupation of the Town, Fort, and every Post in it, and no armed Force on their Side but what is within their Garden Walls, which certainly cannot be many, as it has been One constant Object of the Regiment, since its Possession of the Town, to prevent the Accumulation of armed Men in or near the Town. In such a Situation, it would be more than Madness were they to attempt the Attack of 4 Battalions; nor could the Attack, if succeeded in, be of any Benefit to them.

“ The Proposal of evacuating one Place, and having it searched, and then evacuating the next upon the same Principle, is apparently fair.—But it is well known, in the first Place, that sunk, bricked up, or otherwise hidden Treasure is not to be hit upon in a Day, without some Guide. I have, therefore, informed the Nabob of this Proposal; and, if the Matter is to be reduced to a March, he will go himself to such People as he may possess for Information, together with the Prisoners; and when in Possession of the Ground, by punishing the Prisoners, or by such other Means as he may find most effectual, to forward a successful Search upon the Spot, he will avail himself of the Proposal made by the Bhow Begum.

In reply to the Two Questions you state; first, ‘ Should her Forces attack the Guard round the Elder Begum's Palace, must I enter and extirpate them, to a Man?’ And secondly, ‘ If she will not come to any Alteration of Terms, am I to withdraw the Guard, or not?’

“ To both these I need only observe, That the Object of distressing the Bhow Begum, by a Guard upon her Palace Gate, is merely to obtain a ready Money Payment from her of a Balance due upon an accepted Assignment of the Nabob's upon his late Father's Treasure. But this ready Money, if not paid, is recoverable in the Course of a few Months upon the Jaghire in my Possession. It is therefore not worth proceeding to any Extremities, beyond the One described, upon so respectable a Family. But, in Support of the Order, if the Servants of the Bhow Begum, or any other, attempt to drive off your Guard, they must of Course be supported in their Stations, and the Assaultants punished, repelled, and pursued, if they take any Road but the inner Parts of the Palace. These must remain sacred; and nothing can warrant any Entrance into them while we are at Peace with the Nabob Vizier, and only mean to enforce a speedy, instead of a dilatory Payment. The Assaultants may entirely be repelled, and the Post maintained, without pursuing within the Walls, unless the Post is totally commanded by Embrasures through a Parapet behind the Walls. In this Case they may avail themselves of their Cover to fire upon the Guard, it is advisable to take a more distant and covered Station, so as to distress Access to, and Egress from the Palace, which will answer every Purpose required. I must repeat, that no Extremity can warrant a forcible, or other Entrance, into the Palace, under the Circumstances that cause the stationing a Regiment at Fyzabad, which are merely to retain the Fort, and to tease the Bhow Begum, if possible, into Payment. And unless, after the above Explanations, you deem the Presence of the 23d Regiment absolutely and indispensably necessary to support your Guard, be pleased, upon Receipt of this, not to delay its March into the Provinces.

“ Lucknow,
22 July, 1782.

I have, &c.

(Signed)

R. Johnson.”

Then MAJOR GILPIN was again called in.

Q. (*Cross examined.*) At what Time did you arrive at Fyzabad?

A. On or about the First of June.

Q. In what Year?

A. In the Year 1782.

Q. Whether Bahar and Jewar Ali Khan were delivered over to your Custody upon your Arrival at Fyzabad on the First of June 1782?

A. They were.

Q. Was Shumshire Khan delivered over also to you?

A. He was included.

Q. All the Three Prisoners were delivered over to you?

A. Yes.

Q. In

Q. In what Place were they confined?

A. In Jewar Ali Khan's own House.

Q. What Sort of a Place is that; and in what Manner were the Prisoners treated during the Time you had them in Charge?

A. It was a very elegant House, built by Jewar Ali Kawn, as I understood; and he had laid out a very considerable Sum of Money in making it as commodious and like a Palace as he possibly could.

Q. And in what Manner were the Prisoners treated while under your Charge?

A. With all the Delicacy and Respect their Situation could possibly require.

Q. What Extent of Garden belonged to the House?

A. I cannot possibly say; it was a very extensive one.

Q. Had they Permission to go into that Garden whenever they pleased?

A. They had, within their own Centinels that were placed within the Garden.

Q. What Part of the Garden did that confine them to; what Scope had they within the Centinels?

A. It was a very extensive Garden, and the Centinels were on the Outside. They were not allowed to go out of that Garden, but to walk at Pleasure all round it.

Q. Do you mean that the Centinels were without the Garden?

A. There were Centinels without the Wall, and some within the Garden; those Centinels within the Garden never interrupted their walking in the Garden at all, but were placed there to prevent their going out of the Garden.

Q. (by a Lord). Then they had the whole Garden to range in?

A. Yes.

Q. (by Counsel). What Orders were given to the Centinels respecting their Behaviour to the Prisoners?

A. After the general Order of Security, they were directed to treat them with as much Humanity and Tenderness as their Situation would admit of; not to interrupt them in any of their Pastimes, or in any innocent Amusement whatsoever.

Q. Were they in Irons at this Time?

A. They were.

Q. Do you know whether in point of Fact they did enjoy any of their usual Amusements and Society in that Place?

A. I really cannot say: I never saw any Entertainment there.

Q. Did you never visit them?

A. Frequently.

Q. Did they make any Complaints to you of their Treatment?

A. None in particular.

Q. Were there any other Restraints or Severities exercised towards them, except keeping them in Custody, and the Circumstance of their having Irons on?

A. Not while I had the Charge of them.

Q. Did you see them after you ceased to have Charge of them?

A. I released them at a distant Period from what we are now investigating; but they were sent from me to Lucknow; afterwards they were returned to me, and then I released them.

Q. How long did they continue in your Charge from the First of June 1782, when you took Possession of them?

A. They went from me, I think, about the Fifteenth of June to Lucknow.

Q. And how long was it before they were returned into your Charge again?

A. They did not return to me till about the 17th of August.

Q. When were they finally discharged?

A. About the 4th of December that Year.

Q. So they continued in your Custody from the 17th of August to the 4th of December?

A. They did.

Q. And were treated in the same Manner as they were before?

A. Yes.

Q. Were they in Irons all the Time?

A. I cannot charge my Memory, but I rather think the Irons were taken off when they came from Lucknow in August.

Q. Whether you recollect about the 21st of July 1782, a Circumstance of there being a Number of armed Men in the Begum's Palace, and the City in Arms?

A. About that Period there were.

Q. Give an Account of what you remember of that Period.

A. When I posted the Guards over the elder Begum's Palace, they then assembled a great Number of Troops; I found it necessary to augment my Guard for some Time, till the Begum delivered herself up, and came into the Palace, and then I withdrew my Guard.

Q. What Distance of Time was there, between the first Stir that you mentioned, and the Begum's coming into the Palace.

A. Not many Days.

Q. Do you remember their having threatened to fire upon Lieutenant Crow, who commanded a Party there?

A. Lieutenant Crow reported that Circumstance to me, and in consequence I augmented the Guard.

Q. Where was Lieutenant Crow's Station at that Time?

A. At the Gate of the elder Begum.

Q. When was that?

A. That was in the Month of July 1782.

Q. Was that Report made to you in the Course of Orders, as a Military Report?

A. It was.

Q. Whether you recollect having represented, that you had Reason to suppose the elder Begum very desirous, and anxious to begin an Engagement?

A. I had every Reason to believe it.

Q. Did you represent that?

A. I represented it to the Court at Lucknow.

Q. What do you mean by beginning an Engagement?

A. To commence an Action—beginning to fire.

Q. What Forces had she?

A. Some thousands in the City.

Q. That were under her Command?

A. That were under her Command.

Q. What Number of Forces had you under your Command?

A. I had my own Regiment and Major Buchanan's, Two Regiments of Sepoys, and Four Pieces of Ordnance; about two thousand Men in all.

Q. (*by a Lord*). In what Manner were the Begums Forces armed?

A. With Matchlocks and Sabres.

Q. Am I right, in supposing, that the sole Object of all the Measures that were pursued against these Persons, was to enforce the Payment of the Balance due from them?

A. It was; I understood it so.

Q. Were any such Instructions given to you?

A. That was the Tenor of my Instructions.

The Managers for the Commons stated, that the Counsel ought not to state it as a Balance due.

The Witness was asked:

Q. Was it so called in your Instructions?

A. The Instructions specified the Balance due; it was particularly so mentioned in my Instructions.

Q. Whether any Measures were pursued upon this Occasion, that did not appear to you to be necessary for that Purpose?

A. I really do not comprehend the Question, sufficiently to give an Answer.

Q. You said you kept the Begums in their Palaces, and confined them?

A. Yes.

Q. And you kept their Ministers Jewan and Behar Ali Khan in Confinement?

A. At that Period they were at Lucknow.

Q. But

Q. But during the Whole of your Charge, while you was at Fyzabad, the Question is, whether you knew of any Thing having been done with respect to the Begums or their Ministers, which, according to your Judgement, was beyond what was necessary for compelling them to pay that Sum of Money?

A. I do not know how far it might be deemed necessary.—Those were the Orders I received, and I executed them to the best of my Abilities.

Then the following Extract of a Letter from Mr. Gilpin to Mr. Johnson, dated the 20th of June 1782, was read to the Witnesses.

“ To Richard Johnson Esquire, Acting Resident at the Court at Lucknow.

“ Sir,

“ After the most urgent Arguments, both to the Begum and the Prisoners Bahar and Jewar Ally Cawn, for the Payment of the Balance, I found it was in vain to expect Money from them, without using Severities I was not impowered to inflict.” (a)

The Witnesses said :

That was prior to the Time I am speaking of.

Q. Whether you had not Reason to believe that the Begums could have discharged the Balance at once, if they chose it.

A. I believe there was no Doubt but what the Begum might have discharged it, if she had been inclinable so to do.—It is impossible for me to say for a Certainty ; but I had every Reason to believe it.

Q. Whether, during all this Period, an Intercourse by Letter was not kept up between the Begum and her Ministers?

A. At that Period Bahar and Jewar Ali Khan were at Lucknow : How far she might correspond with them, while in Confinement at Lucknow, it is impossible for me to ascertain.

Q. Did she correspond with them while they were under your Charge?

A. Frequently Messages passed ; and, I dare say, Letters. I never gave any Orders to interrupt any Thing of the Kind.

Q. There is One Passage which has been read in your Letter of the 20th June 1782, it is represented in this Manner : “ The Cojahs One Day told me, that if I would pitch the Begum’s Camp Equipage, and desire her to prepare for an immediate Journey, in all Probability she would pay the Balance due : ” (b) Whether the Cojahs did make such a Representation to you : Was that Representation, in Fact, made to you?

A. It was made to me.

Q. By whom?

A. By the Cojahs.

Q. (by a Lord.) Who are the Cojahs?

A. The Eunuchs, Bahar and Jewar Ali Khan.

Q. Were the Cojahs in Prison when they made this Representation to you?

A. They were in the same Confinement they had always been in.

Q. Were they to have been released upon this Demand being paid?

A. They were.

Q. (from the Managers.) Was this a Representation made by the Prisoners themselves, Bahar Ali Khan and Jewar Ali Khan?

A. I have answered it was.

Q. Personally?

A. Yes, personally.

Q. (by Counsel.) In that same Letter, dated 20th of June 1782, it is said, “ A Spy (that I had placed over the Prisoners, to attend to what Messages might pass between them and the Begum) informed me, that on their Arrival at Begum Gunge, they sent to the Begum, desiring her to consider that their Situation grew more and more serious, and urged strong Arguments to induce her to pay the Balance ; that if she did not, they must at Lucknow divulge every Secret to save themselves.” (c) Whether such a Representation as is stated in that Letter was made to you?

A. It was.

Q. By whom?

A. By the Spy that I had.

(a) Vide supra, Page 875.

(b) Vide supra, ibid.

(c) Vide supra, Ibid.

Q. Had

Q. Had you any Means of knowing, what that Secret was, which they would divulge at Lucknow?

A. I do not know; it is impossible for me to say what it was; it struck me that it might be concerning Treasure; it might be any other Circumstance respecting the Troubles, Rebellion, or any Thing else; it is all Conjecture; but they seemed to lay great Strefs on the Secret.

Q. Did the Eunuchs divulge to you any Secret while they were under your Charge, corresponding to the Idea you entertain of the Word "Secret" here.

A. They did not.

Q. In a Letter from Mr. Middleton to you of the 1st of June 1782, it is mentioned that there was sent to you "a Copy of a Letter received Yesterday from the Vizier, authorizing and urging" him, Mr. Middleton, "to use every Means in" his "Power to enforce their Compliance;" whether you, in Point of Fact, received such a Letter from the Vizier to Mr. Middleton: Was a Copy of it transmitted to you?

A. I recollect some Inclosure sent me by Mr. Middleton about that Period for the Purposes mentioned, but I cannot charge my Memory exactly with them; and I think I have them somewhere amongst my Papers.

Q. Whether it has been the usual Practice, during all the Time you have been acquainted with the Service, for the Correspondence between the Resident and the Officers with whom he corresponded upon Business, to be sent to Calcutta?

A. I cannot say whether they did or not: I transmitted none to Calcutta myself.

Q. Do you know whether it was ever usual for the Officers who received Letters, to transmit Letters, or to keep them in their own Possession: Yourself, for Instance?

A. I kept them all myself.

Q. Was that the usual Course of the Office?

A. I cannot say.

Q. Did you understand it to be so?

A. I should imagine every Officer would, for his own Security, keep the Originals.

Q. How long was you in India?

A. Seventeen Years and an Half, from the Year 1768, till the Beginning of the Year 1785?

Q. Did you understand it to be usual in that Country, for the Natives to conceal their Treasures—throughout the Whole of India? What Parts of Indostan were you in?

A. I was employed in the Upper Provinces in general.

Q. Have you had an Opportunity of knowing what the Custom inquired after was?

A. It has been understood to be the general Custom, for the Natives to conceal their Money.

Q. Is that Custom confined to the Places where the English Government prevails, or does it extend to those Places where the Native Government prevails?

A. It is pretty general throughout the Country.

Q. Do you mean to represent, that it is more or less prevalent where the English Government is, or where the Native Government is?

A. It is impossible for me to answer that Question. In Calcutta, possibly they may not be so cautious; but up the Country, where they are subject to Invasions and to Wars, there it is always understood to be the Custom. Calcutta is a Place of Security, and they have not that Necessity for doing it; but I am not able to give a distinct Account of it.

Q. Was you in Oude at the Time of Sujah ul Dowlah's Death?

A. I was.

Q. Whereabouts?

A. I was encamped in the Rumna, which is adjoining to the City of Fyzabad, when Sujah ul Dowlah died.

Q. Sujah ul Dowlah resided at Fyzabad?

A. He did.

Q. Was Sujah ul Dowlah's Army considerably in Arrear at that Time?

A. I believe it was.

Q. Were there not Apprehensions of an Insurrection upon that Account?

A. So much so—

Q. How near was this to the Death of Sujah ul Dowlah?

A. While he was lying a Corpse, before the Funeral. I was going to observe—so much so, that I, who was then a subaltern Officer in the First Battalion of Sepoys, a Lieutenant, was ordered to be ready with Four Companies at a Moment's Warning, to quiet any Riot or Tumult there might be in the City of Fyzabad in consequence of his Death.

Q. Do you know where Sujah ul Dowlah kept his Treasures ?

A. I always understood they were kept in the Zenana.

Q. Do you know whether the Revenues collected from Time to Time, by the Aumils, were carried into, and deposited in the Zenana ?

A. If the Treasury was in the Zenana, undoubtedly the Collections were carried there.

Q. But you know it only from Report ?

A. I do not know it of a Certainty ; I had nothing to do with the Collections.

Q. Upon the Death of Sujah ul Dowlah, did that Treasure become the Property, by the Laws of that Country, of his Widow, or of his Successor, Asoph ul Dowlah ?

A. It is impossible for me to say ; I do not know that he made any Will, or bequeathed it to any Person ; it came into her Possession.

Q. It came into her Possession ?

A. It was in her Possession, by being within the Zenana.

Q. I understand you, Sujah ul Dowlah made no Will : Did you understand he made any other Disposition of his Property in his Life-time ?

A. I understood he gave a certain Jaghire, a Tract of Land, to his Wife, the present Bow Begum.

Q. But do you know of any Disposition having been made, by Sujah ul Dowlah, of those Treasures in the Zenana ?

A. I do not.

Q. Whether the Property, not the Possession, did, in point of Fact, belong, by the Customs of that Country, to the Successor, or to the Widow of the deceased Sovereign ?

A. I should imagine his Heir-apparent had the greatest Claim to it.

Q. But you know nothing of it yourself.

A. I could not.

Q. Had you any Reason for imagining it ?

A. No other than that there were Drafts made upon that Treasure, immediately after the Death of Sujah ul Dowlah ; and the Money that came from the Zenana, was deposited in our Camp, and embarked on Board Boats, and transmitted to the Presidency at Calcutta.

Q. Do you mean to say, that, according to your Judgement and Knowledge of the Customs of that Country, the Treasures within the Zenana would have gone to the Nabob, and not to the Widow ?

A. I should rather think it would, when so ample a Provision was made for the Widow ; but that is a Point of Law I am not competent to judge of.

Q. (*by the Managers.*) Whether you was not examined before the House of Commons ?

A. I was.

Q. (*from Counsel.*) How long did you continue at Fyzabad, from your first going there on the First of June 1782 ?

A. On December 7th 1782, I marched from Fyzabad.

Q. Whether the Women in the Khourid Mhal were at that Time distressed ?

A. At one Period they were ; but I relieved them from that Distress, by giving them a Sum of Money.

Q. Upon whom did the Maintenance of the Khourid Mhal depend ? Who maintained the Khourid Mhal ?

A. His Excellency the Nabob Vizier.

Q. From whom was the Maintenance furnished ; under whose immediate Care was it ?

A. It was under the Charge of Lettaffit Ali Khan, and he received an annual Stipend from the Foujedar of Sahlone, which, I think, to the best of my Recollection, amounted to Forty thousand Rupees annually, but they had neglected by some Means or other paying it, and the Women became distressed in consequence ; I represented it to the Court at Lucknow, and I paid them Ten thousand Rupees, for which I have now the Receipts of Lettaffit Ali Kawn for Five thousand each.

Q. At what Time was that Relief afforded them by you ?

The Witness delivered in Two Papers, indorsed " Lettaffit Ali Khan's Receipt for 5000 Rupees for the Use of the Khourid Mhal."

The same were read as follow :

“ Fyzabad, 19th November 1782.

“ Received this Day, from Major Martin Gilpin, the Sum of Twenty Son Korah Rupees, Five thousand, for the Use of the Women in the Khourd Mahl Zenanah.”

Here follow, in the Original, some Persic Characters.

(L. S.)

Here follow more Persic Characters.

“ Fyzabad, 27th Nov. 1782.

“ Received this Day, from Major Martin Gilpin, the Sum of Twenty Son Korah Rupees, Five thousand, for the Use of the Women in the Khourd Mahl Zenanah.”

Here follow, in the Original, some Persic Characters.

(L. S.)

Q. Is the Paper in Persian or in English?

A. I wrote one in English, and there is one in Persian to the same Tenor and Effect, with their Seal to it.

Q. That is a literal Translation that you read?

A. As near as possible.

Q. Was this Relief furnished by you to the Khourd Mahl, as Part of your official Duty, or from Motives of Humanity?

A. I did not consider it as my official Duty. I thought it an Act I ought to do, seeing the distressed Situation that they were in.

Q. Did you do this upon the Nabob's Account?

A. I did; and received back the Sum, exactly as I had paid it, from the Nabob.

Q. Had you previous Orders from the Nabob?

A. I wrote to Mr. Britlow. He told me he had written to the Nabob, and authorised me to draw upon the English Resident for that Sum, which I did, and it was paid.

Q. Did the Nabob express any Approbation, or Disapprobation, of that Interference of yours?

A. He wrote me a very angry Letter upon the Subject, and told me, I had no Right to interfere with that Zenana.

Q. Was the Whole of that Establishment under the Nabob and his Officers, or had the English any Concerns, and what, in it?

A. I never understood, the English had any Thing to do with it, at all.

The Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

Die Mercurij, 28^e Maij 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

The Managers for the Commons informed the House, that, in looking over printed Evidence, they had observed several material Errors. They took it for granted those Errors were unavoidable, and entirely owing to the Haste in which the Questions and Answers were taken down; which, at a proper Time, they meant to point out to the House, and take their Pleasure, as to the Manner in which they should be corrected.

Then MAJOR GILPIN was again called in.

The Counsel for the Defendant desired the last Question and Answer, with which the Cross Examination closed Yesterday, might be read.

The same were read, as follows :

‘ Q. Was the Whole of that Establishment under the Nabob and his Officers, or had the English any Concern, and what, in it ?

‘ A. I never understood the English had any Thing to do with it, at all.’

Q. The Establishment mentioned, was the Establishment of the Khowrd Mahl; whether there was any Intercourse between the Khowrd Mahl and the Begums ?

A. None that I know of.

Q. Did the Begums, in any Manner, contribute to the Support of the Khowrd Mahl ?

A. They never did, in the least, during the Time that I commanded at Fyzabad; I can only speak as to that Period.

Q. Have you any Knowledge of that Subject: Might they, or might they not, have contributed: Whether you knew it, or not ?

A. I always understood they had an Inveteracy against the Women of the Khowrd Mahl, even in Sujah ul Dowlah’s Life-time.

Q. Whether the Seizure of the Begums Treasures, or their Jaghires, could, in any Respect, contribute to the Distresses that were experienced by the Khowrd Mahl ?

A. I do not see that it could, in any Respect.

Q. Do you know whether any Measure, in which the English were at all concerned, could produce, or in any Degree contribute, to those Distresses ?

A. I do not think, that the Interference of the English could have effected the Establishment of the Khowrd Mahl, in any Respect.

Q. You mentioned Yesterday the District which was assigned for the Maintenance of the Khowrd Mahl ?

A. It was the District of Sultanpore, and I apprehend that I should have made a Mistake, and called it Sahlone. Sahlone was the Begum’s Jaghire, but Sultanpore is the District that was assigned for the Maintenance of the Khowrd Mahl.

Q. Whether that Country of Sultanpore was, in the Whole, or in Part, ever assigned to the English ?

A. I

A. I cannot say that it was; all I know is, that Letaffit Ali Khan told me that Sultanpore was the District from whence they drew their Subsistence; but whether the Whole of the Revenues of that District were assigned for it, or whether they were to deduct 40,000 Rupees annually, I cannot say.

Q. What do you mean by deducting 40,000 Rupees annually? Do you mean whether the Assignment was of 40,000 Rupees only, or of the whole Rent?

A. What the whole Rent of the District might be, I do not know; it might be Two or Three Lacks of Rupees; all I knew was, that they had their Subsistence drawn from that District.

Q. But you spoke of 40,000 Rupees?

A. That was the Sum allotted them for their Maintenance; it was paid by the Foujedar of Sultanpore to Letaffit Ali Khan.

Q. The Question was, whether you knew that the Country of Sultanpore was ever, in Part, or in the Whole, assigned over to the English?

A. I never heard of any particular Assignment of that District to the English.

Q. I understand you to have said, that the Sum of 40,000 Rupees annually was assigned for the Maintenance of the Khourd Mhal, paid to Letaffit Ali Khan, and by him distributed for that Purpose; whether that Sum was considered as sufficient for that Purpose, if regularly paid?

A. Letaffit Ali Khan informed me, in the Course of Conversation at the Time of their Dispute, that if this stipulated Sum had been paid regularly, there never would have been any Cause of Complaint.

Q. Whether Letaffit Ali Khan was in any Respect subject to the Orders of the Begums, or either of them?

A. Not in the least, that ever I understood.

Q. You were in the Country of Oude in 1779, 1780, 1781, and 1782?

A. The greatest Part of them, I was.

Q. Whether you recollect any Drought in the Country in either of those Years, or in all of them?

A. Yes; there was.

Q. In which?

A. In the Years 1781 and 1782.

Q. By Drought, you mean, a Defect of Rain from the Nature of the Season?

A. Yes.

Q. Whether the Cultivation of the Country suffered considerably in Consequence of that Drought?

A. Considerably.

Q. Whether you ever heard any Complaints, of the English Officers being ill-treated, in their Passage through the Country of Cheit Sing?

A. There have been many Complaints, that the People were insolent to them, as they passed through the Country: I never met with any Interruption myself.

Q. I understood you was in the Country of Oude at the Time of the Insurrection at Benares; whether, supposing the English Arms had been unsuccessful at Pateeta, a general Insurrection in the Country was not much to be apprehended at that Time?

The Managers for the Commons desired the Counsel would mark the Period they alluded to at Pateeta, as there were Two Actions there.

The Witness was asked;

Q. Was there ever an Attack upon Pateeta?

A. There was, by Colonel Popham.

Q. (by the Managers.) Where was you at the Time?

A. I was upon my March from the Mahratta Country, to join the Brigade under the Command of Colonel Morgan.

Q. Where was that Brigade then?

A. It was then in the Douab.

Q. (by Counsel.) Suppose the British Arms had been unsuccessful in the Month of September against Pateeta, would it not have afforded a favourable Opportunity to their Enemies to take Advantage of it?

A. That is Matter of Opinion entirely. It would, undoubtedly, have given very great Encouragement to an Insurrection.

Q. What did you know of the Situation of the Begum's Forces in September 1781 ?

A. At that Period I commanded a Detachment in the Mahratta Country of Two Regiments. The Begums had a Force in their own District, but what Number they were, I cannot say.

Q. From the State of the Douab, what Effect would any Disadvantage suffered in Benares have had upon that District ?

A. Upon the District in the Douab ?

Q. Yes, there was a British Force stationed there; would that Force in the Douab have been in Danger from a Failure at Benares ?

A. Had a general Insurrection taken place, it would have been, a very difficult Matter for the English Troops in the Douab to have extricated themselves; but I only speak of a general Insurrection: The Troops then in the Douab could not have affected us very materially, because there were very few Troops in the Douab, at that Period, but English Troops.

Q. Whether, at that Period of Time, the personal Safety of Mr. Hastings was not considered of great Consequence to the Protection of the British Government in India ?

A. It undoubtedly was so much so, that when Major Lumsdaine came up to the Head of my Regiment on a March to Illiabad, and related the Circumstances of several Detachments being cut off—

Q. What happened when Major Lumsdaine came to the Head of your Regiment ?

A. He said an Express had arrived with Colonel Morgan, informing him several Detachments had been cut off. My Reply was, " If Mr. Hastings is safe in Chunar, rest assured he will extricate us out of our Difficulties; but, on the other Hand, if he is cut off, we shall very soon act the last tragick Scene, and neither you nor I shall live to tell the Story." Those were my Sentiments of Mr. Hastings at that critical Period. Major Lumsdaine is now in England.

Q. In what Estimation was Mr. Hastings's Character in India, during the Time you were there ?

A. He was esteemed a Man of very great Abilities, and a Man of Humanity.

Q. Was he considered as a mercenary venal Man, and a corrupt Governor, or not ? Had he any Drawbacks upon that Character ? Was he considered in a bad Light ?

A. Before the Act passed for a Governor General and Supreme Council, the publick Papers, and all the Records of the India House, speak highly of him as a Governor.

Q. Do you mean that this was the Character he held in India, or do you only mean to refer to what has been written from India to England, for the Foundation of what you report of him ?

A. His Character was universally respected as such in India; those Circumstances were related and published in England; and I mentioned the Records, not as referring your Lordships to them by any Means, but that all the World might see his general Character upon those Records.

Q. (*by a Lord.*) Do you mean to speak of the Character which he held in India down to 1773, or during the whole Time ?

A. I speak of the Period down to 1773, as a remarkable Instance of his Attention to the Interests of the East India Company; after that Period there were some little Disputes in the Council, and various were the Opinions respecting them; and I can only give Matter of bare Opinion upon it.

Q. Then, generally, what was the Character which Mr. Hastings bore during the whole Time of your being in India, in Point of Integrity, in Point of Humanity, and Attention to the Company's Affairs, throughout the Whole of his Government, and throughout all India, from the Beginning to the End, as well after 1773, as before ?

A. I have answered that Question, I think, very fully; however, I will be more explicit: I looked upon Mr. Hastings as a very great Man, and as a Man of Integrity and Humanity.—Many Instances of his Generosity have been related; none of them come within my Knowledge, as I never had the Pleasure of his Acquaintance until I returned to England.

Q. I think you said you never saw Mr. Hastings till you came to England ?

A. At St. Helena was the first Introduction, to the best of my Recollection, that I had to him, when Mr. Hastings came to pay a Visit to Colonel Muir, who lived in the same Quarters that I did.

Q. There were some Letters that were delivered by you to Mr. Middleton, can you recollect whether they were the Originals of the Letters in the Persian Language, or Copies of them; do you remember what they were ?

A. If they were the Letters given to me by the Begum from Colonel Hannay and Captain Gordon, they were in Persian. They were the original Letters, and had the Signatures of Colonel Hannay and Captain Gordon affixed to them—the Initials of their Names.

Q. Were the Initials only put to those Letters?

A. That was all. Never more than just the Initials were put to any Letter.

Q. What became of those Letters?

A. Whether I returned them to the Begum again, or have them in my Possession now, I really cannot say exactly.

Q. Did you receive them back from Mr. Middleton?

A. I did.

Q. How soon after you had delivered them?

A. A few Hours, probably a Day; I will not charge my Memory exactly with it; I think it was in the Course of the same Day. I rather believe I gave them to him in the Morning, and received them back again the same Day; but I will not be positive.

Q. But whether those Letters are destroyed, or whether they are in your present Custody, is more than you know?

A. I do not recollect at present, whether I did deliver them back to the Begum, or whether I have them now among my Persian Papers.

Q. Whether your Letter to Mr. Middleton, of the 19th of October 1782 (a), was answered by his Successor in Office, Mr. Bristow?

A. I do not know whether it was answered by Mr. Middleton or Mr. Bristow, I cannot charge my Memory with it; but it was about the Period of Mr. Middleton's Departure.

Then the last Question and Answer were read by the Clerk.

The Honourable Managers for the Commons stated, that the Words "inclosing those Letters," were added by the Counsel in putting the Question, after the Date of the Letter, were omitted.

The same were ordered to be inserted, viz.

"Q. Whether the Letter of the 19th of October 1782, inclosing those Letters, was answered by his Successor in Office, Mr. Bristow?

A. I do not know, whether it was answered by Mr. Middleton or Mr. Bristow: I cannot charge my Memory with it, but it was about the Period of Mr. Middleton's Departure."

Q. Do you remember the Letter from the Begum to Mr. Middleton?

A. If the Honourable Managers will permit me to refresh my Memory by looking into their Book, I will give a very direct Answer to it.

Then a Book was shewn to the Witnesses, and he proceeded as follows:

A. Mr. Middleton never did reply to that Letter of the 19th October 1782. It is a very singular Letter, and if it was read, your Lordships would perceive that it was so strongly impressed upon me, that I could not make a Mistake. Mr. Middleton never did answer it.

Q. That is a Letter, of the 19th October, from you to Mr. Middleton?

A. Yes.

The Managers for the Commons stated, that the Question put by the Counsel had led the Witnesses to a Contradiction; for he had just before said he gave the Papers personally to Mr. Middleton, and the Counsel's Question made it that they were enclosed.

The Witnesses said,

The Letter of the 19th October, which I enclosed to Mr. Middleton, was from the Bhow Begum; for I particularly mention "The enclosed Letter from the Bow Begum is in Reply to yours "which I delivered on my Return to this Place." (b) The Papers were delivered to Mr. Middleton before that Period, when I was at Lucknow.

Q. Which Papers?

A. The Letter from Colonel Hannay, and Captain Gordon's Letter to her, I delivered to Mr. Middleton when I was at Lucknow.

Q. At what Time was that? How long before that Letter?

A. It must be about the Beginning of October; but I cannot exactly recollect the Date.

Q. Can you ascertain the Time before the 19th of October 1782, when you had been at Lucknow?

A. I cannot exactly say, but I believe it was in the Beginning of October, or about the Middle of October.

(a) Vide supra, Page 749, & infra, Page 896.

(b) Vide supra, ibid. & infra, ibid.

Q. (*by the Managers.*) There is a Letter in that Book, now before you, of the 20th September; from a Place called Deriabad, (a) when you was upon your Road from Fyzabad to Lucknow, that Place is about Half Way between Fyzabad and Lucknow: Recollect only the Time it took you in travelling from Deriabad to Lucknow?

A. The Honourable Manager is exactly right; for here is my Letter dated the 20th of September 1782, at Deriabad: I felt myself some Time past indisposed with a feverish Complaint, and I was obliged to go on account of my Health: I had mistaken the Time, it was not in October, but in September.

Q. Now you find you were at Deriabad upon the 20th of September, Can you now bring it to your Memory at what Time you arrived at Lucknow?

A. I fancy I arrived the Third Day after that; I think I only made Four Days March of it.

Q. Was that the Time at which you delivered those Papers?

A. I believe it was when I was at Lucknow at that Time.

Q. Whether you received a Letter, that is entered in the Book before you, from Mr. Bristow, addressed to you, bearing Date the 4th November 1782, in which there is this Acknowledgement: "I received your Letters of the 12th, 19th, 27th, and 30th, Ultimo?" (b)

A. I dare say I did, I have not a Doubt about it; and I fancy I could produce the original Letter.

Q. Did you know the Court of Sujah ul Dowlah?

A. I did.

Q. Did you know the Court of Asoph ul Dowlah?

A. Yes.

Q. Was there a material Alteration in the Countenance, Figure, and Establishment of his Court, from that kept by his Father?

A. The present Nabob never did, from the Beginning, keep such a splendid Court as his Father did.

Q. Not from the Beginning?

A. Not from the Beginning. I was at Fyzabad when he was First placed upon the Musnud.

Q. From the Time of his being placed on the Musnud, subsequent to that Time, did you observe any material Alteration made in the Figure of Asoph ul Dowlah's Court?

A. None of any Consequence.

Q. (*by the Managers.*) You have stated, that you are not sure whether you returned those Letters, or not, to the Begum, or whether you have them now in your Possession: Recollect, whether you did not afterwards, in November, convey other Copies of those Letters from the Begum to Mr. Bristow—of Colonel Hannay's and Captain Gordon's Letters?

A. I did.

Q. Then she must have had them returned, to have sent Copies of them to Mr. Bristow?

A. I gave him Copies of them.

Q. (*by a Lord.*) Was it not about the Fourth of November that you gave Copies of them to Mr. Bristow?

The Managers for the Commons stated, it was about the End of October.

Q. Then those Letters must have been in your Possession at that Time?

A. They were; but whether on my taking Leave of the Court, and quitting that Station, which I did in December following, I delivered them to the Begum, or kept them, I cannot say; but I am sure I could not have delivered them to the Begum till then, if I did at that Period.

Q. Do you say, you sent the Copies to Mr. Bristow?

A. If I recollect right, I enclosed one of the Begum's Letters along with those; they were under Enclosures from me.

Q. In a Letter from the Bow Begum to Mr. Bristow, which appears to have covered Copies of those Letters from her; She says, "the Letters of Thanks I have received from both those Gentlemen [Colonel Hannay and Captain Gordon], are still in my Possession; Copies of which, I gave in Charge to Major Gilpin, to be delivered to Mr. Middleton;" and then with that Letter she sends other Copies to Mr. Bristow?

A. The Mistake must have happened on her Part, for I had the Originals, and I do not despair of finding them on my Return into the Country.—She did not deliver Copies, but Originals; I dare say they are among my Persian Papers yet.—As a Proof that they were Originals, I pointed out the initial Letters to Mr. Middleton, when he suspected that they were not Originals: that there were the initial Letters of Colonel Hannay and Captain Gordon to them.

(a) Vide infra, Page 896.

(b) Vide infra, Page 897.

Q. Do you mean, that you told Mr. Middleton so at the Time you delivered the Letters to him?

A. Yes; that I pointed that Circumstance out to Mr. Middleton. If I can find them, I will transmit them with the greatest Pleasure; I do not wish to withhold any Secret whatever.

Q. Did you cause those Letters to be translated at Fyzabad, after your Return from Mr. Middleton from Lucknow?

A. I think I had a Translation of them before I went there.

Q. Where, and by what Means, did you get that Translation?

A. By the Assistance of my Commandant, who acted in the Capacity of Moonshy, and the Assistance of Captain Hyde, who was a Captain in my Regiment.

Q. Where was it done?

A. At Fyzabad.

Q. Can you recollect, whether it was after your Return from Lucknow, or previously to your going to Lucknow, that you caused those Letters to be translated?

A. I have already said, that to the best of my Recollection it was before I went to Lucknow.

Q. Did you omit communicating to Mr. Middleton the Circumstance of your having Translations of the Letters, or did you shew those Translations to Mr. Middleton?

A. I think I gave him the Originals; and whether I mentioned any Thing of my having the Translations, I do not recollect; but it was unnecessary to Mr. Middleton, as he understood the Persian Language so well.

Q. Did Mr. Middleton read the Persian Originals in your Presence, and appear to understand

He read a Part of them, if not the Whole;—I cannot answer to the Whole: But he requested that I would leave them with him, that he might peruse them at Leisure.

Q. When was Shumshire Cawn released?

A. He was released at the Time that Bahar and Jewar Ali Khan were.

Q. Do you remember what Time that was?

A. December the 4th, 1782. I enlarged them by Order of his Excellency the Nabob. I have a Memorandum of it here, which I took to refresh my Memory.

The Witnesses read the same, as follows:

“ 4th Dec. 1782, Camp at Fyzabad.

“ His Excellency the Nabob Vizier having been pleased to grant the Enlargement of the Prisoners Bahar Ally Cawn and Jewar Ally Cawn, from their long Confinement, the Guards over the said Men is † in Consequence withdrawn; and Liberty granted them to pass and repass all Guards and Centinels, in common with other People.”

Q. And Shumshire Khan was enlarged at the same Time?

A. Yes, he was released at the same Time.

Q. By whom was the Order conveyed to you?

A. It was conveyed to me by Mr. Bristow, for the Enlargement of Bahar and Jewar Ali Khan.

Q. But, for the Enlargement of Shumshire Khan, what Order had you?

A. I had none.

Q. Your Memorandum purports, that Bahar and Jewar Ali Khan were released by Order of the Nabob, but mentions nothing of the Release of Shumshire Khan; upon what do you go in supposing that Shumshire Khan was imprisoned down to the 4th of December?

A. When I received Orders to enlarge Bahar and Jewar Ali Khan, no Mention was made of Shumshire Khan; I did not know what to do with him, but I spoke to Bahar and Jewar Ali Khan, and I asked them whether they would be responsible for Shumshire Khan if I should do wrong in delivering him, so as to return him again into my Custody to be a Prisoner, in case I should be called to account; and, in consequence of their Promise, I released him, and he stands now in that very Predicament, and no Demand was ever made to me for Shumshire Khan.

Q. Whether, while you had Bahar and Jewar Ali Khan and Shumshire Khan in your Custody, any Inquiry whatever was set on foot, in order to discover their supposed Treason and Rebellion against the Nabob and the English?

A. I do not recollect that there was any publick Enquiry of that Kind.

Q. Was any Enquiry at all, that you remember, set on foot?

A. I do not recollect any thing more than Gentlemen by accident just speaking to them: There was no Enquiry by Authority; Conversations might have passed upon that Subject.

Q. For

Q. For what Purpose were Bahar and Jewar Ali Khan taken out of your Custody, and sent to Lucknow? And when were they so taken out?

The Witness read the following Memorandum:

" June 18th, sent the Prisoners Jewar and Bahar Ali Khan to Lucknow, in Charge of Lieutenant Crow, with Two Companies of Sepoys."

Q. For what Purpose were they sent to Lucknow?

A. It is impossible for me to say, for what Purpose; but I sent them by Order of the Resident.

Q. Did the Order from the Resident convey any Thing more to you, than the mere Order for sending them, or did it express to you for what Purpose they were to be sent?

A. I should suppose for the Purpose of getting the Payment of the Balance from them.

Q. How do you collect that Sense? Was it Part of the Order?

A. I only collect it from the general Sense of Mr. Johnson's Letter to me.

Q. Did not you learn from Mr. Johnson's Letter—according to your Memory of that Letter now, that Severities had been threatened to be used to them in Lucknow, in order to get from them the Secret of the Place where the Treasures were concealed at Fyzabad?

A. I do not know whether Mr. Johnson did express it in his Letter to me; I rather think he said he had used Threats, but I do not recollect Severities being mentioned; but the Letter will shew it.

Q. Who commanded the Guard which escorted Bahar and Jewar Ally Cawn to Lucknow?

A. Lieutenant Crow.

Q. You say, in a Letter to Mr. Johnson, of the 23d of July 1782, that "the Elder Begum appeared at one Time very anxious to begin an Engagement" (a):—Recollect, whether you did not understand that Threat to be with an Intention that she herself might be destroyed,—and that you understood it to be her Determination to die in a rebellious Blaze (b).—Do you recollect that Passage?

A. I do recollect it, and I believe it would save a great Deal of Trouble if the Rest of my Correspondence upon that Subject was read; particularly my Letter in Answer to Mr. Johnson's last Letter that was read Yesterday: Mr. Johnson's Letter implied some little Misconduct on my Part, which I answered fully; and I feel myself hurt at its not being read, because my Character as a Soldier is at Stake.

Read, the following Letter from Major Gilpin to Mr. Johnson, dated the 2d August 1782, from the printed Minutes of the Evidence taken before a Committee of the whole House of Commons, on Thursday the 18th May 1786, already delivered in, beginning at Page 83 of the same.

" To Richard Johnson Esquire, Resident at Lucknow.

" Dear Sir,

" I have to acknowledge the Receipt of your Letter of the 31st ult^o, which makes it requisite for me to point out clearly to you the Impracticability of maintaining the Post at the Elder Begum's Gate, in the Mode you prescribe in your Letter of the 22d ult^o.

" The Elder Begum had assembled not less than Four thousand Men in the City, besides the whole Country were in Motion to her Assistance. With such a Force, was it possible for the Detachment to maintain the Post at the Gate, if they were not suffered to enter the same when fired upon, and put the Whole to Death?

" Can it be supposed that Officers and Men will stand tamely in a Street when fired on, through Windows, Doors, Loopholes, &c. &c. which surround and command them, without exerting every Ability to destroy that secreted Enemy? And can it also be supposed that, when fired upon, they will shamefully retreat, under the scandalous Appellation of cowardly Fellows? Epithets that might have been too justly applied by the Begum's People, had the Attempt been made, and God forbid that I shall ever live to hear so scandalous a Reflection thrown out on the Corps I command.—I have had the Honour to serve my King and Country near Twenty-four Years, with the constant Approbation of my Superiors; and can it be supposed, after such a Length of Service, that I wanted wantonly to throw away a Reputation I have so long laboured to obtain? which must inevitably have been the Case in the Eyes of every military Man, had the Detachment been ordered by me to retire to a more distant Post when fired upon, as you prescribe?—What did the Governor General say of the Attack of Ramnagur, by the late Captain Mayaffre? And did not the whole World condemn Lieutenants Stalkers, Scott, and Symes, for not putting Cheyt Sing to instant Death when the Attack was made on the Guard.

(a) Vide infra, Page 894.

(b) Vide infra, ibid.

" These were Circumstances that required due Attention on my Part; and I do assure you, it did not appear possible to have continued that Guard an Hour longer, without an Attack from them; the Consequence of which would, in all Probability, have been a more serious Rebellion than that of Cheyt Sing's was, yet not, in any respect, fatal to this Detachment, for the Orders I had given almost ensured Success, in case of an Attack.

" Situation and Circumstances (visible to every Person here) made it requisite to withdraw the Guard the Moment the Begum requested it, unless my Orders for extirpating every Man in Arms had been clear and positive, and which, from the Tenour of your Letter, I never could expect to receive, as you say, " it is not worth proceeding to Extremities with so respectable a Family, &c." I am very happy, the Thirty-third Regiment was here, and particularly so, that Major Buchanan commanded it, whose Length of Service and steady Conduct has met with general Applause—His Sentiments and mine coincided in every Particular.

" I have now to answer your Letter of the 31st, wherein you disapprove of my withdrawing the Guard; a Circumstance that you imagine has caused the total Failure of this Business.—In Reply to which, give me Leave to observe, that the only Mode of paying the Balance, without going to Extremities, is, in my humble Opinion, by that Agreement to all Appearance made permanent.

" She has promised, in the most sacred Manner, to deliver up the Cash, Jewels, &c. that she has in her Possession, to make good the same.

" Should she not stand to this Agreement, my Promise to her, of visiting the Elder Begum, is void, and she of course becomes a State Prisoner in the Fort, where every Restraint that may be judged requisite can be more easily enforced, than if she was at the Elder Begum's in the City. I now to request, since you have disapproved of the Agreement, which appeared to me the most reasonable and secure, that you will draw up the Terms which are to be accepted of, and every Person in my Power shall be made to obtain them.

" I am, Dear Sir,

Your obedient humble Servant,

(Signed)

M. Gilpin."

Byzabad,
2d August 1752.

To shew the Situation the Begums were in at this Time, and the Probability there was of an Engagement,

Read, the following Letters from the same Book, beginning at Page 80 of the same.

" To Richard Johnson Esquire, Resident at the Court at Lucknow.

" Sir,

" The Situation of Affairs all Day Yesterday was very precarious, so much so, that by the Encrease of Troops in the City, I every Moment expected the serious Scene to open.

" The Bhow Begum sent no Message all the Day, which confirmed me in Opinion she meant an immediate Attack; and in consequence I was prepared in every respect, and gave the necessary Instructions to every Post and Party.

" Early in the Evening, the Bhow Begum sent to request I would send my Commandant to her, which I readily complied with, but told him to tell her, " That assembling such a numerous Force in the Town was needless; that I had given Orders, in case of a single Shot from them, to enter the Palace, and put to Death every Man in Arms; that the Banarasi Massacre was still fresh in the Minds of the Officers and Sepoys; and that, notwithstanding the Orders I had given to spare Women and Children, I could not expect much Delicacy would be observed, if once they entered; I therefore recommended her to consider the critical Situation, and come to Terms."

" She gave me every Assurance that she wished for Peace and Quietness, but insinuated as much, as that she was not absolutely Mistress of her own Conduct; and I have Reason to suppose the Elder Begum was very desirous and anxious to begin an Engagement; nay, I am convinced, by various corroborating Circumstances, that she was resolutely bent, and firmly resolved, to die as she had lived, in a rebellious Blaze.

" However, about 12 o'Clock at Night the Bhow Begum agreed to give up every Thing she had, to be disposed of for the Payment of the Balance due, but that she could not get at the Jewels and other valuable Goods, until the Arrival of the Prisoners Bahar and Jewar Ally Cawn; that as soon as they arrived the Things should be deposited.

" It is also, I believe, certain, that she never will agree to any other Terms while she remains under the Roof of the Elder Begum.

" Finding it was absolutely impossible to keep much longer from a general Engagement, and not having Orders to storm the Palace, or disarm the Troops (which, by the bye, would have been a bloody Scene) I accepted those Terms, and withdrew the Guards, at the Request of the Begum; and I now wait your Instructions and Reply to my Letter of the 21st.

" I have further to add, that she has confirmed the Agreement by Letter this Morning, assuring me, be the Consequences what they will, she has no other Mode of Payment; at the same Time she expresses much Satisfaction that this disagreeable Business is so near adjusted.

" The

" The Twenty-third Regiment has by this been detained only One Day, as Major Buchanan could not possibly have marched before the Twenty-fourth. He will now march from this the 25th.

" Fyzabad,
23d July 1782.

" I have the Honour to be, Sir,
Your most obedient humble Servant,
Martin Gilpin,
Major Commanding."

" To Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I am honoured with your Letter of the 23d, and am much concerned that you did not wait the Answer to your First Letter, before you withdrew the Restraint placed upon the Begum, with so successful an Appearance. You promised in your Letter of the 21st to hold what you had got, and to remain as you were; had you abided by this Engagement, you would have found, by my subsequent private Letter, written the Day after my Reply to your Express of the 21st, the certain Success of the Plan which now is thrown further back than ever; for, if I understand your last, an † unlimited Amount are to be delivered up, with a positive Agreement to release the Prisoners; whereas, before this last Effort on our Side (in which I do not learn that the same Station was occupied that was possessed on the first Restraint upon the Palace Gate) the elder Begum offered One Lack in Part Payment, for only transferring the Prisoners; and afterwards, upon surrounding the Palace, the Bow Begum offered One Half of the Money down, and the Remainder in Goods (much preferable to the present Offer) which was refused, because she would give no Security for the Performance of her Offer, to obtain which you placed the Second Restraint; and have withdrawn them upon less favourable Terms, and ‡ what we possessed in Hand from the Restraint, the First Restraint, and this at a Time when you had double the Force, One Half of which you have scoured the Town of any armed Force it could contain, while the Remainder could fear the fail of maintaining its Post uninterruptedly round the Palace. From the Steps of Compliance immediately adopted by the Begum in her Overtures to the Shroffs at Lucknow, it is self-evident (in Addition to the Conviction of her Ability, and other Arguments hazarded in my last) that she could never mean to attempt an Attack upon your Post.—But, dropping all useless Discussion upon what is past, and of course remedies, I must apply † to her Offer through you, upon which you have now withdrawn the Guard; it is this, That if I refused the former advantageous Tenders for Want of some Security, I still more positively reject this, which is neither so advantageous, and equally unaccompanied with the least Shadow of Security, and burthened with a Demand of releasing her Agents as soon as what she may chuse to deposit shall be declared. This, as the Begum has dropped her First Terms, I now refuse to agree to, as I ought to have done then, when proposed as a Condition upon the Payment: I always said, that if through their Means the Company's Balance could be liquidated, it would give me an Opening to recommend them to Lenity, and an easy Discharge from the Crimes they stand accused of; but to stipulate such an Exchange, would be indecent on my Behalf, a Circumstance I had not before sufficiently weighed, but which I have now an Opportunity to establish. Upon the Whole, therefore, the following is the only Line for you to follow now: First, to prohibit throughout the Town any armed Men appearing in the Streets; and after due Notice given, to order constant Patrols to execute it, and in case the Regulation is not speedily and strictly obeyed, to make Example of the First Offenders; next to establish such Posts, at such Distances as you shall deem practicable and tenable to a Certainty, round the Palace, through which whoever shall please may pass, from the Palace, but none return within it. Thus gradually, Once more, for a Third Time, re-establishing the First Restraint, and remaining in that Position, whatever may be the Result of it (unless that if § immediate full Payment or full Security, without Restrictions and Stipulations on our Side) until the Guards shall be ordered off. My Motive for subscribing this slow and quiet Method is founded merely upon your Information of the violent Intention of the Elder Begum, which she will have no Opportunity of carrying far by this Mode, as the Forces within the Palace cannot, or ought not, to be considerable, for the Reasons assigned in my last, founded upon the necessary Precautions, that I cannot doubt has been observed, to prevent armed Men going into the Palace.

" I shall have no Objection to transfer the Confinement of the Prisoners to your Camp at Fyzabad, when the Begum may return to any Terms that can be accepted, as I know their Presence there may be of Use, although I also know that their being here is great Subject of Alarm to the Bhow Begum.

" But I repeat, that should you again be able to re-establish yourself, as I hope, without any Struggle, which you must see, from this and my last, how much I wish to avoid, that you upon no Account withdraw until the Proposals shall have been referred, and Time given for an Answer from hence, unless in the Case of full unconditional Submission and Compliance from the Begum.

" It is not rational to suppose that she will long submit to troublesome Restraint, possessing the Means, as I know she does, for releasing herself; I therefore place great Reliance upon the Effect of your fulfilling the Spirit of these Directions. The Letter must depend upon Circumstances, and your own Discretion.

" Lucknow,
25th July 1782.

" I have, &c.
(Signed) R. Johnson."

" To Nathl Middleton, Esquire.

" Sir,

" I have the Pleasure to enclose you Ten Bills of Exchange on the Bankers at Lucknow, amounting to Fifty thousand Rupees, on account of the Balance due from the Bhow Begum, which I received from the Prisoners Bahar and Jewar Ally Cawn.

" Hoolafs Roy is of Opinion that the Goods which I have received from the Bhow Begum are well worth Four Lacks of Rupees, even allowing that they fell greatly under their Value.

" The Goods were to have left Fyzabad To-day, but owing to a continued Rain I have delayed them until Choppers can be made for the Hackeries.

" I have had a Paper War with the Elder Begum these Two Days; she did promise to lend One Lack to be paid to me, how far I shall be able to succeed I cannot yet say; however, I am hopeful, even without her Assistance, that I shall get all together between Five and Six Lacks on Account of this Balance.

" I am under Promise to the Begum of visiting Lucknow with such Proposals, that will, I hope, ensure the small Balance that may remain, although the Elder Begum should not assent.

" I have the Honour to be, Sir,

Your most obedient humble Servant,

(Signed) Martin Gilpin,
Major Commanding."

" Fyzabad,

† Sic in Orig. † 5th Septemr 1782.

" To Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I am honoured with your Letter of the 15th. As it is not possible I can listen to any Terms for the Begums before the final Discharge of their conditional Agreement for 55 Lacks, your coming here upon such an Agency can only be Loss of Time in completing the Recovery of the Balance of 6,55,000, for which your Regiment was sent to Fyzabad; I must therefore desire you will leave no Efforts, gentle or harsh, unattempted to complete this before you move from Fyzabad, and I am very anxious that this should be as soon as possible, as I want to employ your Regiment upon other emergent Service, now suffering by every Delay.

" Lucknow,

I have, &c.

17th September 1782.

(Signed)

N. Middleton."

" Nathaniel Middleton Esquire, Resident at the Court at Lucknow.

" Sir,

" Imperfect Health for some Time past, with a Feverish Complaint, and violent Head Aches, encreasing rather too fast, made it absolutely necessary for me to quit the unwholesome Air of Fyzabad many Days sooner than I either intended or was prepared for, as a Change of Air and Medical Assistance was now become necessary.

" I had the Pleasure to receive your Letter of the 17th, since my Arrival here, the Dakk having missed me on the Road. I have to assure you there will be no Time lost by my Journey to Lucknow, for I fancy the Balance that may remain, after the Sales of the Effects, will not be a Subject Matter to detain the Regiment from the active Service you propose for it; and my Presence, on this Occasion, is also requisite at Lucknow, to provide the necessary Stores for a Campaign. My Stay at Lucknow will be very short, if my Health will admit of an immediate Return; it is a Place I have neither Inclination to visit, or Business to delay me long at.

" I have the Honour to be, Sir,

" Deriabad,

Your most obedient humble Servant,

Septemr 20th 1782.

(Signed) Martin Gilpin.

" N. B. Lieut. Brown, with the Effects, marched from Fyzabad the 17th, and I hope he will arrive with you by the 20th or 21st."

" To Nathaniel Middleton, Esq. Resident at the Court at Lucknow.

" Sir,

" The enclosed Letter from the Bhow Begum, is in Reply to yours which I delivered on my Return to this Place.

" She observes to me, that her Situation is truly pitiable, her Estate sequestered, her Treasury ransacked, her Cojahs Prisoners, and her Servants deserting daily from her for Want of Subsistence. That she has solicited the Loan of Money to satisfy the Demands of the Company from every Person that she imagined would or could assist her with any: But the Opulent will not listen to her Adversity. She did hope the Wardrobe that was sent to Lucknow might have sold for at least One Half of the Company's Demands on her: But even Jewelry and Goods, she finds (from woe-ful Experience) loses its Value the Moment it is known they came from her.

" That she has now solicited the Loan of Cash from Almas Ally Cawn; and if she fails in this Application, she has no Hopes of even ‡ borrowing a Sum equal to the Demand.

† Sic in Orig.

" She

" She thanks you kindly for your Friendship towards her, and hopes you will lay the Copies of those original Letters, which I gave you to read, before the Honourable the Governor General and Supreme Council, to convince them that the Information they received respecting any rebellious Principles on her Part, at the Time of Cheyr Sing's, was wicked, and without Foundation.

" The above, Sir, is the Substance of Conversation, on her Part, to the urging Arguments which I have used to obtain the Balance.

" Camp at Fyzabad,
19th October 1782.

" I have the Honour to be,
Sir,
Your most obedient humble Servant,
(Signed) Martin Gilpin,
Major Commanding."

Read, the following Extract from Book D, already delivered in, beginning at Page 120 of the same.

" To Major Gilpin.

" Dear Sir,

Lucknow, 22d October 1782.

" Enclosed I have sent the Nabob's Bond to the Begum, as it may probably afford some Satisfaction to deliver it yourself. The Multiplicity of Business I have had upon my Hands for this some Time past, must plead my Apology for not having done it before.

" I am, with Esteem,

" Dear Sir,
Your very obedient humble Servant,
(Signed) Nathaniel Middleton."

" N. B. The above mentioned Bond of the Nabob Vizier's to the Begum for R^{82,000}, dispatched by the Dak from Lucknow to Major Martin Gilpin at Fyzabad, on the 22d Oct 1782, by

(Signed) J. C. M.

Read, the following Letters from the Minutes of the Evidence before a Committee of the Whole House of Commons, already delivered in, beginning at Page 90 of the same.

" To John Bristow Esquire, Resident at the Court at Lucknow.

" Sir,

" Last Night, about Eight o'Clock, the Women in the Khoured Mahl Zenana, under the Charge of Letaffut Ally Cawn, assembled on the Tops of the Buildings, crying in a most lamentable Manner for Food; that for the last Four Days they had got but a very scanty Allowance, and that Yesterday they had got none.

" The melancholy Cries of Famine are more easily imagined than described, and from their Representations, I fear the Nabob's Agents for that Business are very inattentive; I therefore think it requisite to make you acquainted with the Circumstance, that his Excellency the Nabob may cause his Agents to be more circumspect in their Conduct towards these poor unhappy Women.

" I have the Honour to be,
Sir,

" Fyzabad,
30th Octobr 1782.

Your most obed^t humble Serv^t,
(Signed) Martin Gilpin,
Major Comm^d."

" To Major Martin Gilpin, Commanding at Fyzabad.

" Sir,

" I have received your Letters of the 12th, 19th, 27th, and 30th ultimo.

" I communicated the Contents of that of the 30th to the Minister, who promised me to issue Orders for the Payment of a Sum of Money to relieve the Distress of the Khoured Mahl. I shall also forward a Bill for Ten Thousand Rupees to you, in the Course of Three or Four Days; and if, in the mean Time, you may find Means to supply to the Amount of that Sum, I will become personally responsible to you for the Re-payment.

" I shall answer the Begum's Letter, when I may be able to speak with any Certainty on the Points relative to which she writes me. I hope to * this also, in the Course of Three or Four * sic in Orig. Days, and request you will make my Respects, and inform her of my Intentions.

" You will continue to act conformable to any Instructions occasionally transmitted to you by Mr. Middleton and Mr. Johnson.

" I have the Honour to be,
Sir,

" Lucknow,
4th Novem^r 1782.

Your's, &c.
(Signed) John Bristow,
Res^t at the Vizier's Court."

" To John Bristow Esquire, Resident at the Court at Lucknow.

" Sir,

" The repeated Cries of the Women in the Khourd Mahl Zenana, for Subsistence, has been truly melancholy.

" They beg most piteously for Liberty, that they may earn their daily Bread by laborious Servitude, or to be relieved from their Misery by immediate Death.

" In consequence of their unhappy Situation, I have this Day taken the Liberty of drawing on you in favour of Ramnarain, at Ten Days Sight, for Twenty Son Kerah Rupees Ten thousand, which I have paid to Cojah Latafat Ally Cawn, under whose Charge that Zenana is.

" I have the Honour to be,

Sir,

" Camp at Fyzabad,
15 Novem^r 1782.

Your most obed^t humble Serv^t,
(Signed) Martin Gilpin,
Major Command^t."

" To John Bristow Esquire, Resident at the Court at Lucknow.

" Sir,

" Before my Return to Fyzabad, the Bhow Begum had replied to his Excellency the Nabob Vizier's Letter; the Contents of which I imagine he would communicate to you.

" The elder Begum I understand (from Report only) never intends to put Pen to Paper to him again.

" What Probability there may now be of ever receiving the Balance from the Begum, you, from her Letter to the Nabob, will be best able to judge; but I am clearly of Opinion, that whilst her Eunuchs, Behar and Jewar Ally Cawn, remain Prisoners, and the Battalions continue with any Restraint on her, that she will never agree to pay a further Sum on the Score required; and indeed it appears to me only recoverable by moderate Means. If the Prisoners released, and the Troops withdrawn from her, I fancy she would, in a short Period, enter into a Negotiation with you; and on certain Terms be induced to pay the Sum wanted.

" Enclosed I send you the Copy of a Letter which I received this Morning from her. The Circumstances of her Servants quitting her for Want of Subsistence, is very certain and public; and whether real or fictitious, I will not take upon me to determine; but I judge it necessary to make you acquainted with the Circumstance.

" I have the Honour to be, &c.

" Fyzabad,
18 Nov^r 1782.

(Signed) Martin Gilpin,
Major Command^t."

" To Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I do myself the Pleasure to enclose you a Duplicature of a Letter that will be delivered to you by Affrien Ally Cawn. As it may be some Days before he will arrive at Fyzabad, and the Enlargement of the Begums Eunuchs has been relolved upon, it appears necessary that it should be delayed; you will therefore immediately release Behar Ally Cawn and Jewar Ally Cawn, for whom, and the Begum, I shall send you Letters by To-morrow Night's Dawk.

" You will, in the mean Time, continue your Solicitation for the Balance due to the Vizier; and should you receive any Money on this Account, transmit it under a proper Escort to Lucknow.

" I am happy to inform you, that the Begum is highly pleased with your Treatment of herself and Eunuchs; and I shall not fail, in my Letter, to express the Sense I entertain of your Conduct.

" Lucknow,
the 2d December 1782.

(Signed) John Bristow."

" Major Martin Gilpin, commanding at Fyzabad.

" Sir,

" I received your Letters of the 15th and 18th Ultimo.

" The Vizier having thought proper to express his Pleasure, that the Begum should be relieved from the Restraints under which her Servants have been laid, I notify the same to you, and inform you, there is no further Occasion for the Services of the Troops under your Command stationed at Fyzabad.

" Previous to your Departure, you will deliver over Charge of the Fort of Fyzabad to Auffreen Ally Cawn, or such Person as he may appoint to receive it, and to whom you will also explain any other Matters necessary for his Information. You will release the Begum's Eunuchs, Bahar Ally Cawn and Jewar Ally Cawn, from Confinement, and you will deliver the Artillery, Ammunition, and Stores under your Charge, belonging to the Vizier, to Lullmun Shogul, the Aumil of Gonda, or the Agent or Agents he may appoint.

" You will oblige me by the Communication of any Particulars relative to the Transactions at Fyzabad, which you think will enable the Vizier to effect the Recovery of the Balance still remaining due on account of the Begum's Engagement.

" Permit me to convey to you his Excellency's Satisfaction at your Conduct in the Discharge of your Duty at Fyzabad.

" Lucknow,
the 2d Decem^r 1782.

(Signed)

John Bristow."

" To John Bristow Esquire, Resident at the Court at Lucknow.

" Sir,

" I have to acknowledge the Receipt of your Letter of the 2d instant, and in consequence immediately enlarged the Prisoners Behar Ally Cawn and Jewar Ally Cawn from their Confinement—a Circumstance that gave the Begums and the City of Fyzabad in general the greatest Satisfaction.

" In Tears of Joy, Behar Ally Cawn and Jewar Ally Cawn expressed their sincere Acknowledgments to the Governor General, his Excellency the Nabob Vizier, and to you, Sir, for restoring them to that invaluable Blessing, Liberty, for which they would ever retain the most grateful Remembrance; and at their Request I transmit you the inclosed Letters.

" I have the Honour to be,

Sir,

Your most obedient humble Servant,

(Signed)

Martin Gilpin,
Major Commandant

" Fyzabad,
5 December 1782.

" Copy of a Letter from Major Gilpin to Mr. Bristow.

" Dear Sir,

" I wish you had been present at the Enlargement of the Prisoners. The quivering Lips, with the Tears of Joy stealing down the poor Men's Cheeks, was a Scene truly affecting; and as Tristram Shandy justly observes, fit only for a Sentimental Traveller.

" If the Prayers of these poor Men will avail, you will, at the last Trump, be translated to the happiest Regions in Heaven.

" I am, &c.

(Signed)

M. Gilpin."

" Fyzabad,
5 December 1782.

The Managers for the Commons acquainted the House, that they would next read the Paper of Intelligence, which had been authenticated by Mr. Holt, in his Evidence at the Bar, (a) relative to the miserable Situation of those Women, which they meant to bring home to Mr. Hastings.

Read, from Book 73, already delivered in, the following Extract of a Consultation of the 17th February 1784, beginning at Page 28 of the same Book.

" Fort William, the 17th February 1784.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

Edward Wheler, and } Esquires.
John Stables,

Mr. Macpherson absent from the Presidency for the Benefit of his Health.

" The following Letter and its Enclosures were received from Mr. Bristow, on the 8th instant, and circulated.

" Honourable Sir, and Gentlemen,

" I have the Honour to forward, for your further Information, the Enclosure N^o 3. It contains a Relation of the Hardships endured by the Ladies of the late Vizier's Zenana.

" I have the Honour, &c.

(Signed)

John Bristow,
Res^t at the Vizier's Court."

" Lucknow,
29th January 1784.

" Translation of a Paper of Intelligence from Fyzabad.

" The Ladies, their Attendants and Servants, were still as clamorous as last Night; Latafit the Daroga went to them and remonstrated with them on the Impropriety of their Conduct, at the same Time assuring them, that in a few Days all their Allowances would be paid; and should

(a) Vide supra, Page 397 and 399.

that not be the Case, he would advance them Ten Days Subsistence, upon Condition that they returned to their Habitations. None of them, however, consented to his Proposal, but were still intent upon making their Escape through the Bazar, and in consequence formed themselves in the following Order,—the Children in the Front, behind them the Ladies of the Seraglio, and behind them again their Attendants; but their Intentions were frustrated by the Opposition which they met with from Latafit's Sepoys.

" The next Day Latafit went Twice to the Women, and used his Endeavours to make them return into the Zenana, promising to advance them 10,000 Rupees, which, upon the Money being paid down, they agreed to comply with, but Night coming on, nothing transpired.

" On the Day following, their Clamours were more violent than usual, Latafit went to confer with them on the Business of yesterday, offering the same Terms; depending upon the Fidelity of his Promises, they consented to return to their Apartments, which they accordingly did, except Two or Three of the Ladies, and most of their Attendants. Latafit then went to Hofsmund Ally Cawn to consult with him about what Means they should take; they came to a Resolution of driving them in by Force, and gave Orders to their Sepoys to beat any one of the Women who should attempt to move forward. The Sepoys accordingly assembled, and each one being provided with a Bludgeon, they drove them, by dint of Beating, into the Zenana; the Women, seeing the Treachery of Latafit, proceeded to throw Stones and Bricks at the Sepoys, and again attempted to get out; but, finding that impossible, from the Gates being shut, they kept up a continual Discharge till about Twelve o'Clock, when, finding their Situation desperate, they returned into the Rung Mahl, and forced their Way from thence into the Palace, and dispersed themselves about the House and Gardens. After this, they were desirous of getting into the Begum's Apartments; but she, being apprized of their Intentions, ordered the Doors to be shut. In the mean Time, Latafit Hofsmund Ally Cawn posted Justices to secure the Gates of the Lesser Mahl. During the Whole of this Conflict, the Ladies and Women remained exposed to the View of the Sepoys. The Begum then sent for her Son and Hofsmund Ally Cawn, whom she severely reprimanded, and insisted upon knowing the Cause of this infamous Behaviour. They pleaded, in their Defence, the Impossibility of helping her as the Treatment the Women had met with, had only been conformable to his Excellency the Vizier's Orders. The Begum alledged, that even admitting that the Nabob had given these Orders, they were by no Means authorized in this Manner to disgrace the Family of Sujah Dowlah, and should they not receive their Allowances for a Day or Two, it could be of no great moment; what had passed was now at an End, but that the Vizier should certainly be acquainted with the Whole of the Affair, and that whatever he directed, she should implicitly comply with. The Begum then sent for Two of the Children who were wounded in the Affray of last Night, and after endeavouring to sooth them, she sent again to Latafit and Hofsmund Ally Cawn, and in the Presence of the Children, again expressed her Disapprobation of their Conduct, and the Improbability of Asoph ul Dowlah's suffering the Ladies and Children of Sujah Dowlah to be disgraced, by being exposed to the View of the Sepoys; upon which Latafit produced the Letter from the Nabob, representing, that he was amenable only to the Order of his Excellency, and that whatever he ordered, it was his Duty to obey, and that had the Ladies thought proper to have retired quietly into their Apartments, he would not have used the Means he had taken to compel them. The Begum again observed, that what had passed was now over. She then gave the Children 400 Rupees, and dismissed them, and sent Word by Sumrud and the other Eunuchs, that if the Ladies would peaceably retire to their Apartments, Latafit would supply them with 3 or 4,000 Rupees for their present Expences, and recommended to them not to incur any further Disgrace; and that if they did not think proper to act agreeable to her Directions, they would do wrong. The Ladies followed her Advice, and about 10 at Night went back into the Zenana. The next Morning the Begum waited upon the Mother of Sujah Dowlah, and related to her all the Circumstances of the Disturbance. The Mother of Sujah Dowlah returned for Answer, that after there being no Accounts kept by Crores of Revenue, she was not surpris'd that the Family of Sujah Dowlah, in their Endeavours to procure Subsistence, should be obliged to expose themselves to the meanest of People. After bewailing their Misfortunes, and shedding many Tears, the Begum took her leave and returned home.

" A true Translation,

(Signed)

Robt Holt,

Att^y to the Resident." (a)

Read, from Book 85, already delivered in, the following Extract of a Letter from Mr. Bristow to the Board, in a Consultation of the 3d March 1783, beginning at Page 253 of the same Book.

(a) Vide Appendix, N^o LXXXV.

" Fort William, 3d March 1783.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
General Sir Eyre Coote, Commander in Chief,
Edward Wheler, } Esquires.
John Macpherson, }
John Stables, }

" Major Gilpin, with One Battalion, has been stationed at Fyzabad for the Purpose of supporting the Vizier's Claim against the Begum, for the Recovery of his Patrimony, deposited in her Charge.—I applied to the Vizier immediately upon my Arrival, for his Consent to withdraw this Battalion, seeing little Probability* that violent Measures would effect my further Payments.—I * See in Orig. proposed to him to trust to her Generosity for the Liquidation of the Balance, which was about Five Lacks.—The Vizier would not at that Time acquiesce in my Proposal; but, determined on making One more Effort, previous to leaving it in her Discretion to prolong the Term of Payment; his Excellency accordingly addressed a Letter to the Begum, conveying his Sense of her evading the Performance of her Engagements in very harsh Terms, and threatening, in case of Non-compliance with them, that her Eunuchs should continue in Confinement, and Means be taken to recover the Money from her, as the Company would never be satisfied without it.—The Begum, in Reply, represented her Inability, having paid away all the Treasure ever entrusted to her Charge by the late Vizier; but if the Eunuchs were enlarged, she might, with their Assistance, be enabled to raise the Money upon Credit.—On his Excellency's receiving this Answer, I renewed my Solicitations for Permission to withdraw the Battalion, resting the Matter upon the Begum's Promise of discharging the Balance when her Eunuchs should be released.—I was induced to this Measure by the Representations of Major Gilpin, who had been employed in the Business from Commencement. His Opinion, asserting that every practicable coercive Exertion had been I beg leave to submit to you in the enclosed Copy of his Letter to me on the Subject.—The at Length acquiesced in the Battalion's being withdrawn, for which I was the more anxious as your Instructions to me disapprove of Detachments, and the State of Affairs requires the appearance of a formidable Force on the Frontiers.

" Lucknow,
the 1st December 1782.

(Signed at the End) " John Bristow,
Resident at the Vizier's Court." (a)

To prove that Mr. Hastings withheld the Communications contained in the above Letter, for Three Months, from the Board,

Read, the following Extract of a Consultation of the 12th of May 1783, from Book 80, already delivered in, beginning at Page 658 of the same.

" Fort William, the 12th May 1783.

" At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Edward Wheler, } Esquires.
John Macpherson, }

" The Governor General lays before the Board, the following Letters from Mr. Bristow to him, dated 12th December, and Inclosures 30th December, 4th and 31st of March, and 8th April.

" The Battalion at Fyzabad is recalled; and my Letter to the Board of the 1st instant has explained my Conduct to the Begum. The Letter I addressed her, a Translation of which I beg leave to enclose (N^o 2), was with a View of convincing her that you readily assented to her being freed from the Restraints which had been imposed upon her, and that your Acquiescence in her Sufferings was a Measure of Necessity, to which you were forced by her extraordinary Conduct. I wished to make it appear this was a Matter on which you directed me to consult the Vizier's Pleasure, that it might be known you were the Spring from whence she was restored to her Dignity and Consequence (b).

(Signed at the End)

" John Bristow,
Resident at the Vizier's Court."

Read, also, the following Extract from the Appendix to the same Consultation, beginning at Page 471 of the same Book.

" Appendix to Consultation, 12th May 1783.

" Translation of Letter from Mr. Bristow to the Begum.

" I have had the Honour to receive your Letters.—Whereas the Prosperity and Welfare of the Vizier's Affairs are the earnest Wish of the Governor General, I have, in obedience to my In-

(a) Vide Appendix, N^o LXXXVI.

10 U (b) Vide Appendix, N^o LVIII.

structions,

structions, represented to his Excellency, that I shall conform to his Pleasure in whatever he might think proper to direct. I am happy to convey his Commands, that Major Gilpin shall, on the Arrival of Affrien Ally Cawn, march from Fyzabad, and immediately release Bahar Ally Cawn and Soakur Ally Cawn. This Measure affords me the greater Pleasure, as I am persuaded, from the kind Expressions in your Letters, of the Regard you entertain for the Vizier, being dearer to you than Life, that you will in future consult and cherish his Interests.

"It is probable the Vizier would have continued the Restraints upon your Excellency, if the Governor General had not, out of Respect for the Ties which bind you, and from a natural Benevolence of Disposition, given his Assent. The strict Alliance subsisting between the Governor General and the Vizier will ever render an Union of Councils and Measures the Line of Conduct of both Governments. And it is a most pleasing Circumstance to me, to convey the Governor General's Approbation of the Restoration of your Excellency to the Dignity and Consequence to which your high Rank and Birth justly entitle you.

"I beg leave to return my Thanks for the Sense you express of the becoming Conduct of Major Gilpin in the Execution of his Duty.

"Permit me to remind your Excellency, that there is still a Balance of above Five Lacs due, on account of your Engagements; and as you promised, immediately on the Enlargement of your Eunuchs, to pay that Sum, I hope you will excuse my Solicitations and Assurances, that by a Compliance you will render a Service both to the Vizier and the Company, whose Affairs at present require the Assistance of every pecuniary Aid.

(A true Translation.)

(A true Copy.)

"E. Hay,

"Act^y Sec^y to the Secret Dep^t.

(Signed)

Rob^t Gregory,

Assistant at the Vizier's Court." (a)

For the Managers for the Commons desired Mr. Hudson might be called in.

Then Mr. ROBERT HUDSON was called in, and asked;

Q. When did these Two Letters first appear upon the Consultations? Have you looked over the Consultations before the 3d of March, to see whether it has ever appeared before?

A. I believe, the first Time it appears is upon the 3d March 1783. The Letter just now read is on the Consultation of the 12th May 1783.

Q. You have read over the Consultations before that Time?

A. I have.

Q. Therefore you speak negatively, that before that Time it does not appear upon the Consultations?

A. It does not.

Q. (*Cross examined.*) Whether the Letters are usually entered upon the Consultations immediately upon the Receipt of them, or whether they are not entered till some Consideration is taken upon them? Do you know, what the Course is of doing Business at Calcutta, as to entering Letters?

A. I cannot speak with any Certainty, as to the Proceedings at Calcutta; I can only observe how they are entered upon the Proceedings, they vary often, appear some Time after the Date of them.

Q. Therefore all you speak to, is the Fact of their Appearance upon the Proceedings; but the Course of Business you know nothing of?

A. No.

Q. Does it appear to you, from observing the Course of Business as done at Calcutta, that Letters frequently appear to have been received, and to have been in the Possession of the Government, before they are entered upon the Consultation Minutes?

A. Very frequently.

Q. At all Times; not particularly during Mr. Hastings's Government?

A. I speak in general.

Q. Whether the Letter containing the Inclosures in question, is addressed to the Governor General and Council, or to Mr. Hastings personally.

A. The last Letter read begins, Honourable Sir.

Q. Is that the Style of Address where a Letter is addressed to Mr. Hastings personally, or where addressed to him as Governor General?

A. As Governor General.

Q. It was not with respect to that Letter, but the Letter containing that Paper with the Account of the Distresses of the Khourd Mhal?

A. The Letter transmitting the Paper about the Khourid Mhal, from Mr. Bristow, begins, "Honourable Sir, and Gentlemen;" the Date of Mr. Bristow's Letter is the 29th of January 1784.

The Managers for the Commons stated, that as the Counsel for the Defendant had endeavoured to establish, that it was not usual to enter Letters upon a Consultation, till some Act was done upon those Letters; they would now shew, that in this Case the Act was done relating to the Subject Matter of this Letter, while the Letter was withheld; and that it was produced after the Orders were given.

Read, from Book 80, already delivered in, the following Extract of a Consultation of the 12th of May 1783, beginning at Page 634 of the same.

"The Governor General lays before the Board the following Letters from Mr. Bristow to him, dated the 12th December, and Inclosures 30th December, 4th and 31 March, and 8th April."

The Managers for the Commons acquainted the House, they would next prove, that in consequence of Mr. Hastings' having withheld from the Board his Knowledge that the Begum's Ministers were released, and also the Communication from Mr. Bristow, of the Letter he had written to the Begum, informing her of it, the Board were induced to write to the Resident, as if ignorant of those Circumstances.

Read, the following Extract of a Consultation of the 3d March 1783, from Book 85, already delivered in, beginning at Page 304 of the same.

"Fort William, 3d March 1783."

"At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
General Sir Eyre Coote, Commander in Chief;
Edward Wheler, } Esquires.
John Macpherson, }
John Stables, }

Secret Dep.
3d March.

"Agreed, That the following Letter be written to Mr. Bristow:

"To Mr. John Bristow.

"Sir,

"Having received, and taken into our Consideration, the following Letters from you, we shall now transmit you our Sentiments and Orders upon them.

23d November,	2d January,
1st December,	13th D ^o
11th D ^o	24th D ^o
19th D ^o Two Letters,	29th D ^o
20th D ^o	30th D ^o
30th D ^o	

"We desire you will inform us of any, and what, Means have been taken for recovering the Balance due from the Begum at Fyzabad; and, if necessary, that you recommend it to the Vizir to enforce the most effectual Means for that Purpose.

"Fort William, 3d March 1783.

"We are, &c.

" (Signed) Warren Hastings,
(Signed) Eyre Coote,
(Signed) Edward Wheler,
(Signed) John Macpherson,
(Signed) John Stables."

"Warren Hastings,
Edward Wheler,
John Macpherson,
John Stables (a).

The Managers for the Commons stated, they would next read Mr. Bristow's Answer to this Letter of the Board of the 3d of March 1783.

Read, the following Extract of a Consultation of the 23d June 1783, from Book 82, already delivered in, beginning at Page 550 of the same Book.

Secret Dept.
Monday.

" Fort William, 23d June 1783.

" At a Council; Present,
Edward Wheler, } Esquires.
John Macpherson, }
The Governor General indisposed on the River.
Mr. Stables absent.

" Letter from Mr. Bristow to the Board, dated Lucknow, 31st March 1783.

" Honourable Sir, and Sirs,

" I have delayed replying to your Commands of the 3d instant, regarding the Means taken to realize the Balance due from the Begum, in Hopes that I might transmit you favourable Accounts of it. Before the Recall of Major Gilpin, she promised Payment; and since that Time, she has uniformly professed an Inability, unless her Jaghyre be relinquished. In my Address of the 1st December, I represented to your Honourable Board, that every practicable coercive Exertion had been used in Support of my Representations. I submitted to your Consideration, the Copy of Major Gilpin's Letter to me on the Subject. The Begum complains, that having no Pension or Jaghire, she now subsists her Family and herself with the greatest Difficulty; and should the Vizier persist in withholding every Allowance from her, she will be distressed for the Necessaries of Life.

" The above is the Substance of the Begum's Reasons for her Refusal, as they have been communicated to me both verbally and by Letter. I am of Opinion, however, from every Information I can obtain, that she has the Means of satisfying the Honourable Company's Demands,—but ~~for~~ ^{for} a little Prospect of a Jaghyre or Pension, she trusts to her Hoards for Support, and would ~~use~~ ^{use} the severest Restraint sooner than comply. Previous to my Arrival, her Eunuchs were ~~for~~ ^{for} many Months in Confinement, and led out to corporal Punishment. Guards were also put upon her House to prevent the Treasure from being carried away. These Measures failed, and you have before you the Opinions given by Major Gilpin, the Officer who commanded the Troops, that " ~~that~~ ^{that} Force could do has been done." Mr. Middleton thought it very practicable to recover the Money from the Begum, by continuing the Restraints; and though I differ from that Gentleman in my Sentiments, yet I think it my Duty to transmit the Extract of his Letter to me upon the Subject, that every Information in my Power may be presented for your Decision. The Articles mentioned by Mr. Middleton I received on taking Charge of the Office. They consisted of Eight Elephants, and various Sorts of Goods, valued by the Begum at Three Lacks. For the Goods, the Merchants of Lucknow offered me Eighty-one thousand Rupees. A great Part were damaged, owing to the long Time they had been kept in the Godouns at Fyzabad. I refused to sell them, until I obtained the Begum's Consent, which she granted me, after a Correspondence of Three Months; in the Course of which I repeatedly solicited her to receive them back. They were in so bad a State, that I was obliged to give the Purchaser Six Months Credit. This Bargain I even concluded with Difficulty. There was no Mode of disposing of the Elephants, except to the Nabob, who bought them at Fifteen hundred Rupees an Elephant.

" I have, in compliance with your Orders, applied to his Excellency to call upon the Begum to pay the Balance of the Account without further Delay, and inform her that no Excuses can be admitted, she will certainly evade, and probably refuse. If you ultimately determine on enforcing the Payment, I shall be under the Necessity of applying to Colonel Morgan for Military Aid.

" Lucknow,
31st March 1783.

I have the Honour to be, &c.

(Signed) John Bristow,
Resident at the Vizier's Court."

Then MAJOR GILPIN was again called in.

Q. Whether you ever saw or heard of the Treaty between Mr. Middleton and the Elder Begum, by which a Provision for the Women and Children in the Khowd Mhal, was guaranteed by the East India Company?

A. I never saw any such Treaty, nor did I ever hear of it, until I heard of it in this House.

Q. Have you any Knowledge of the Assignment of the Forty thousand Rupees, for the Maintenance of the Khowd Mhal, or have you it only from Hearsay?

A. I had it from Lataffit Ali Khan, who received it from the Foujdar of Sultanpore.

Q. Do you know, whether that District of Sultanpore had been seized or mortgaged by Mr. Middleton?

A. I do not.

Q. What Circumstances led you to make this Distinction between Sahlone and Sultanpore, and to correct your Evidence of Yesterday, in that Respect?

A. An Error in the Answer, nothing else; just a Mistake of the Two Words; I had very near fallen into the same Error this Moment.

Q. What did you conceive the Age of the Elder Begum to be ?

A. I do not know, but I suppose she was about Eighty.

Q. Had you an Opportunity, while you was at Fyzabad, of knowing the general Character of these Women, or of observing Instances of their Disaffection, or Attachment to the British Government ?

A. By the Conversation, that I have had with the Natives of that Place only.

Q. From those Conversations, what is your Opinion with respect to the Conduct and Character of the Bow Begum, and of her Disposition with regard to the English Government ?

A. I had a strong Supposition, from the Papers produced to me, the Letters of Colonel Hannay and Captain Gordon, that from these Circumstances she appeared innocent : It was upon those Letters that I grounded my Sentiments of her Innocence.

Q. Do you not, from all the Circumstances you adverted to, at the Time, in forming your Judgement, and according to your present Belief, entirely acquit the Bow Begum of any Disaffection to our Government ?

A. It is impossible for me to ascertain that, upon my Oath ; I gave my Opinion in the House of Commons, that I acquitted her from those Circumstances ; those were the Grounds upon which I formed my Ideas ; and your Lordships will be best able to judge, whether I am right or not.

Q. But from your Conversation with the Natives, and others, what Judgement did you form ?

A. The Natives at Fyzabad were all in her Interest ; and, from the general Conversations I had with them, they declared she was innocent : I could not confute it.

Then the following Question and Answer were read to the Witness from his Evidence in the House of Commons, before a Committee of the whole House there.

“ Q. Had you any Opportunity of knowing the Characters of the Begums, and whether they were disaffected to our Government ?

“ A. I had a very good Opportunity of knowing, from the Circumstance of my having commanded so long there. The elder Begum, it was generally understood, and I have Reason to believe, was disaffected to our Government ; and my Sentiments of her Conduct stand recorded in my Correspondence to the Court of Lucknow to that Effect : But with respect to the Bow Begum, I acquit her entirely of any Disaffection to our Government, so far as comes to my Knowledge. Appearances were for some Time against her ; but on cool deliberate Enquiry, I found there was no Grounds, for supposing her guilty of any rebellious Principles, at the Time of Cheit Sing's Rebellion.”

Then the following Question was put to the Witness :

Q. Whether that, according to your Belief, is not your present Opinion ?

A. I think I have answered that very fully ; that it was upon those very Principles that I did form an Opinion of her Innocence ; how far they are justifiable or right, I will not take upon me to say upon Oath ; there was no one Circumstance that came to my Knowledge, during my Residence at Fyzabad, or my Residence in India, that I would wish to withhold from your Lordships.

Q. You state here upon cool, deliberate Enquiry ; what was that cool, deliberate Enquiry ?

A. That cool, deliberate Enquiry, was the Conversations I had with the Ministers and the People of Fyzabad, and the Letters from herself, expressing her Innocence ; and it appeared to me from those Letters, that she really was our Friend and Ally.

Q. You have stated, that you conceived the English had no Right or Authority whatever to interfere or meddle in any Respect with the Khourid Mahal ; whether you do not know, that it was by Orders from the British Government, that the Khourid Mahal was surrounded by Soldiers, and that the Women were confined or searched as they came out of it ?

A. I beg to know what Time is alluded to ; whether during my Command, or not ?

Q. Not during your Command ?

A. If it was after I left Fyzabad, I cannot ascertain. I only speak to Circumstances while I had the Command.

Q. Was not the same Guard stationed in your Time that was stationed in Captain Jaques's Time ?

A. There was : But I understood it was a Matter that happened after I left that Country.

Q. Whether the Guards, that were placed round the Khourid Mahal, were not placed under the Authority of the British Government ?

A. I undoubtedly placed Guards there, and gave Orders to the Sepoys.

Q. The Khourd Mahl was within the same Circle of the Garden as the Zenana?

A. Yes; it was.

Q. Much Pains have been taken to draw an Answer from you, which is supposed to countenance the Belief, that the English Government never interfered with respect to the Khourd Mahl?

A. I drew that Conclusion from the Nabob's Letter to me, who was very angry with my interfering at all.

Q. That was for relieving their Necessities?

A. Yes.

Q. To whom did you transmit the Complaints of the distressed Situation of the Women in the Khourd Mahl?

A. To Mr. Bristow, the Resident at the Court at Lucknow.

Q. Did not you draw upon the British Resident for Money?

A. I did; and Yesterday delivered in the Receipts.

Q. Describe the Situation in which the Khourd Mahl and the Zenana were?

A. The Khourd Mahl was on one Side of a very spacious Garden, and the Begum's Palace was on the other, at a considerable Distance; I cannot say exactly how wide it was, but there was no kind of Connection whatever between the Two.

Q. Was there any Restraint put upon the Khourd Mahl peculiarly?

A. None by me; in consequence of what Captain Jaques had done, in searching the Doolies as they came out, I continued that in like Manner; but I never knew any Thing that was found in one of the Doolies.

Q. But there was a Guard surrounded the Khourd Mahl, and searched every Body that came out?

A. The Guard had nothing to do with the searching the Women that came out of it; there was a Woman appropriated for that Service distinctly; the Guards that were round the Khourd Mahl, were round the whole Palace, the whole Fort, and the whole City; nay, I had some small Guards extended as far as Sujah ul Dowlah's Burying Place, and some few Miles out of the Town; so that, in fact, the whole City was surrounded by the British Troops.

Q. (by a Lord.) Could the Guards have been placed round the Zenana, so as to effect a Restraint upon the Palace, without also making a Constraint upon the Khourd Mahl?

A. As well as I can recollect, the Orders given to the Centinels were, to prevent any Men from having any Intercourse with them, as is usual in that Country to do where Women are kept; I believe that was the Tenor of the Orders; it was not to have any Restraint upon the Ladies at all.

Q. Whether it would be possible, by that Guard, to constrain the one without constraining the other?

A. Is it meant the Guard over the Begum's Palace?

Q. Yes.

A. That was within the City of Fyzabad, and the Khourd Mahl is within the Citadel.

Q. The Zenana I take to be within the same District as the Khourd Mahl?

A. The same, only there is a wide Garden between them; that is all.

Q. Whether it would have been possible to have established a Guard upon the Zenana, which would not have operated as a Constraint upon the Khourd Mahl also?

A. The Palace of Fyzabad, which I surrounded, is a Fort within itself, within that, is the Zenana; I was within the Palace with the main Body of the Troops; the Elder Begum's Palace is without that, it is in the City, more properly speaking, at some Distance from the Gates; I suppose near a Quarter of a Mile from the Khourd Mahl and Zenana.

Q. Did you place Guards at the Gates of the Elder Begum's Palace?

A. Yes.

Q. Did not the Elder Begum threaten to destroy herself, if any Offer was made to remove her by Force from Fyzabad?

A. She did.

Q. Was not the Object of that Threat to remove her, to induce her to make a Discovery where the Treasure was concealed?

A. I believe it was.

Q. Whether you were able to guard the Principal Zenana, without guarding the Khourd Mahl, or the Reverse?

A. There were Guards placed about the Whole.

Q. Whether you could guard one of those Zenanas, without guarding the other? Whether the Guard that was placed upon the Zenana could have been kept there, so as to be a Constraint upon the Zenana, without being also a Constraint upon the Khour Mahl?

A. I do not see there was any Constraint by our Guard, upon the one, more than upon the other.

Q. Whether there was a free Passage from the Zenana to the Khour Mahl, and so *vice versa* from the Khour Mahl to the Zenana?

A. They might have passed freely.

Q. Whether by those Means the Treasure and valuable Effects might not, by such a Communication, have passed from the Zenana without the Walls of the Palace, through the Khour Mahl?

A. No; I do not believe they could without the Centinel seeing them.

Q. But the Treasures being conveyed, such as were portable, from the Zenana to the Khour Mahl, might they not, if there had not been a Guard placed there, have been conveyed entirely out of the Palace and the Zenana?

A. They clearly might.

Q. (*from a Lord.*) You say, the Revenues of Sultanpore were never seized upon, that you know of; I suppose, therefore, they were left to the Management of the Foujdars? Can you assign any Reason why the Revenues were not transmitted as usual from the Foujdar, for the Use of the Khour Mahl?

A. I do not know.

Q. Do you know whether the Surplus of the Revenue arising from the District of Sultanpore beyond the 40,000 Rupees, annually allotted to the Khour Mahl, was given to the Nabob, or what became of it?

A. I do not.

Q. If you had received Orders to guard strictly the Zenana, and leave the Khour Mahl free, whether you, as a professional Man, think you could have executed those Orders?

A. To keep it perfectly free?

Q. If you had received Orders to keep a strict Guard upon the Zenana, and to leave the Khour Mahl perfectly open and free, was it possible, in a Military Way, to execute those Orders?

A. It would have been leaving one Side of the Palace without any Centinel or Guard at all.

Q. Would it have been consistent with the Usage of the Country, to have stationed Centinels between the Zenana and the Khour Mahl, in the Garden?

A. I believe there always were Centinels posted there, even in the Life time of Sujah Dowlah.

Q. Then how am I to understand, that that would have left that Part of the Palace open, where the Treasures were, upon the Supposition that the Treasures were deposited in what was called the Begum's Zenana: Why would not a Line of Centinels placed between the Zenana and Khour Mahl in the Garden have effectually secured the Zenana, though that Part of the Palace called the Khour Mahl should have been left open and free?

A. The Garden was too spacious for it, and I judged it necessary to have Centinels on both Sides; the Guards were placed on both Sides of the Garden.

Q. Then you left Room for Intercourse, for them to pass and repass?

A. But they could not pass between, but the Centinels must have seen them.

Q. Was there any Examination of those that passed from the Begum's Zenana to the Khour Mahl?

A. I do not believe there was any Body passed from the One to the other, while I was there.

Q. Were not the Centinels a Check both upon the Zenana and Khour Mahl, so as to prevent their passing backwards and forwards to either?

A. No, by no Means.

Q. (*from a Lord.*) What Reasons, if any, did Mr. Middleton assign for giving back those Persian Letters you gave to him?

A. I understood he had taken Copies of them, with a Design of transmitting them to the Board; at least that was my Request to him; and he delivered back the Originals into my Possession.

Q. Then he assigned no Reason?

A. He did not assign any Reason in particular.

Q. I understood you to say, that, to the best of your Recollection, you communicated those Letters to Mr. Middleton soon after your Arrival at Lucknow: Did you communicate those Letters to Mr. Middleton soon after your Arrival at Lucknow?

A. I did.

Q. There

Q. There seems to me to be a little Inaccuracy in the Evidence of the Witness, which I wish to state, because his general Evidence has been so singularly accurate: In the Letter of the 19th of October 1782, (a) to Mr. Middleton, if I take it right, you say to Mr. Middleton, "The Begums wish you to transmit those Letters which I gave you to read:" Now it does seem, as it strikes me from the general Tenor of that Letter, that those Letters alluded to in your Letter, and which the Begums desired Mr. Middleton to transmit, were then in Mr. Middleton's Possession: Do you recollect that Passage in the Letter of the 19th of October?

A. I think the Passage says, The Begum hopes you have transmitted Copies of those Letters to the Board.

Q. Had the Elder Begum any particular Communication with the Inhabitants of Fyzabad?

A. She might have had any Communication she pleased; there was no Restraint upon that.

Q. Had she, in Fact?

A. I dare say she had; I cannot speak positively to the Transaction.

Q. Then the Elder Begum's People were at Liberty to go into the Town, without Examination, whenever they pleased?

A. Except during the Time the Palace was surrounded, when the Younger Begum was in there, she had no Restraint whatever put upon her.

Q. Could the Begums excite the People of the Town to rebel, while they were in Confinement?

A. By their Ministers, their Agents, and Servants, they might.

Q. But were not the Agents also restrained from communicating with the Inhabitants?

A. They were passing and re-passing some Time before a close Confinement came, which lasted only a few Hours.

Q. Could the Zenana be guarded without its being a Check also upon the Khourid Mahal?

A. I think it might, if the Guards were distinctly placed upon the Zenana, and had no Orders to guard the Khourid Mahal, because they were separate Buildings; I suppose there was a Space of from Fifty to an Hundred Yards between them.

Q. (by Counsel) Whether the Place where the Treasures were supposed to be deposited was not in the same Inclosure with the Khourid Mahal. Where were the Treasures supposed to be deposited?

A. They were supposed to be deposited in the Begum's Zenana.

Q. Was that within the same Inclosure with the Khourid Mahal?

A. No. It was not in the same Inclosure, there was a Garden which separated them.

Q. Whether any Guards were placed upon either of those Places, except such as were necessary for preventing any Treasure being removed from the Zenana?

A. I cannot recollect, that there were any other Orders given.

Q. Whether the placing of the Guards, or any other Measures taken, while you were there, had any the smallest Effect in straitening the free Access of Provisions, or did at all contribute to the Distress of the Khourid Mahal?

A. Not in the least.

Q. You have been asked your Opinion respecting the Younger Begum: What was the Disposition of the Elder Begum? Whether a general Report did not prevail of the Disaffection of both the Begums?

A. I have stated in my Correspondence that there did.

Q. Did any Circumstance come to your Knowledge afterwards, to induce you to disbelieve that Report with respect to the Elder Begum?

A. It never removed my Sentiments of the Elder Begum at all, no Report that I ever heard.

Q. What were your Sentiments of the Elder Begum?

A. That she was undoubtedly in Rebellion. They were my Sentiments of her, and always must remain so.

Q. Whether you did not know that there were Causes for the Disaffection of the Elder Begum to the English?

A. There were a Variety of Circumstances mentioned, which I cannot ascertain as Facts; but they were publick Reports of Circumstances that gained Credit with the English, from the general Tenor of her Conduct.

Q. What were they?

A. I cannot relate any particular Circumstances, but I believe it might be carried back to the Period of the War in 1764:—As far back as the Battle of Buxar, when she expressed herself with some Warmth against the English.

(a) Vide supra, P. 749, 890, and 896.

The Managers for the Commons stated, that the reigning Nabob being then at War with the English, his Mother shewed some Enmity to them also.

Then the Witnesses proceeded, as follows :

It was related, but how far it is to be depended upon, I will not say upon Oath, that when her Son took Leave of her, when going to march into that Country, she begged he would take care to destroy the English as much as lay in his Power, reserving Twelve Officers to carry her Palanquin.

Q. Whether that Jealousy and Disaffection to the English continued subsequent to the Year 1764?

A. I cannot speak as to my own Knowledge.

Q. Do you know any Thing of her Disaffection since the Year 1764?

A. Nothing in particular came to my Knowledge—it was from general Conversation.

Q. But an Opinion prevailed that she remained with Displeasure to the English?

A. It did.

Q. Whether the Younger Begum was not very much under the Influence of the Elder?

A. I believe I have expressed that in my Correspondence, and answered it fully.

Q. I understood you to say, that originally the Report prevailed with respect to both the Begums, but that you was induced to alter that Opinion with respect to the Younger Begum, in consequence of Mr. Gordon's Letters, and the Intelligence from some of her Ministers and other Persons.—Were not those other Persons in the Interest of the Younger Begum?

A. In general, the Town of Fyzabad were in her Interest.

Q. In what Sense do you mean generally in her Interest:—Were the Persons you conversed with merely those who were in her Service and Household, or the Inhabitants of Fyzabad in general?

A. Both; I held Conversations with both her own Body Servants, and the Inhabitants of the City.

Q. Whether you considered the Begum to be serious in the Threat you have mentioned, to destroy herself, or to hold it out as a Terror?

A. I thought it held out as a Terror.

Q. If they had attempted to remove her by Force?

A. I suppose the Question has arisen from what my Letter says.

Q. (by Counsel) The Object of my Examination was singly respecting that Question which was put by the Honourable Managers, as to the Threat of the Begum to destroy herself if she was removed.—Do you suppose that if that Threat of removing her had been seriously carried into Execution, she would have destroyed herself?

A. It is impossible for me to answer that Question.

Q. Did you at that Time represent your Opinion that these were Words of course?

A. It is Matter of Opinion, and I do not chuse to give a Matter of Opinion upon Oath.

Q. As to the Letters which are not produced, whether you were not subpoena'd by the Prosecutors, to give Evidence upon this Cause?

A. I was; I have the Summons in my Possession.

Q. You were asked respecting your having enlarged the Prisoners, by Order of the Nabob; whether you have the Orders that you issued upon that Occasion?

A. I have a Memorandum of them here.

Q. State the Orders?

The Witnesses read the following Memorandum:

“ Camp, Fyzabad, 4th December 1782.

“ Detachment Morning Orders, by Major Gilpin.

“ His Excellency the Nabob Vizier having been pleased to grant the Enlargement of the Prisoners, Bahar Ally Cawn and Jewar Ally Cawn, from their long Confinement, the Guards over the said Men is * in Consequence withdrawn, and Liberty granted them to pass and repass all * Sic in Orig. Guards and Centinels in common with other People.”

Those were the Orders I issued in consequence.

Q. What do you mean by the Word “ Rebellion,” as applied to the Begums. In what Sense do you use it?

A. In raising Troops, and in other Acts of Rebellion, in the common Acceptation of the Word.

Q. Against whom ?

A. Against the Nabob's Government and the British Government jointly ; but I beg to know the particular Time and Circumstance the Question alludes to ?

Q. I understand you to have said, you understood the Elder Begum was in a constant State of Rebellion. In what Sense do you use the Word Rebellion ; did you say the Elder Begum was in a constant State of Rebellion ?

A. I always understood her to be disaffected to the English Government ; it might not be a proper Expression of mine, the Word Rebellion.

Q. Do you know of any Act of Rebellion by the Elder Begum against the Vizier ?

A. I cannot state any.

Q. Do you know of any Act, which you call Rebellion, committed by the Elder Begum against the Company ?

A. I do not know of any particular Circumstance ; only, it was generally supposed that she was disaffected to the Company.

Q. What Acts of Disaffection or Hostility towards the English do you allude to, when you speak of the Conversation of the World at the Time ?

A. I have answered that Question as fully as I can ; that it was nothing but Conversation ; that I knew of no particular Act or Deed myself.

Q. Were they the Acts of the Begum's, or of any of her Servants, which you heard in Conversation ?

A. It was the general Conversation, that she was disaffected intirely to the Government ; but Acts or Deeds beyond what I have already stated, I cannot speak.

Q. I understood you to say, that the Centinels were not placed as a Restraint upon the Khourd Mahl ; and I understood you likewise to say, that the Doolies coming out of the Khourd Mahl were constantly examined ?

A. The Centinels did not interfere with the passing and repassing ; the only Restraint by searching the Doolies was, by Women appointed for the Purpose of seeing whether there was any Treasure : There was no Restraint upon their passing or repassing, but merely to prevent the Removal of any Goods.

Q. I understood you to say, that the Treasures were supposed to be in the Zenana. How did it tend to secure the Treasures in the Zenana, searching the Doolies that came out of the Khourd Mahl ?

A. There was no particular Reason, it was not known to an absolute Certainty, but it was thought necessary to take every Precaution we could. We understood the Treasures were in the Begums Palace ; but it was necessary to take every Precaution.

The Witness was directed to withdraw.

Then NATHANIEL MIDDLETON Esquire was called in, and examined as follows :

Q. (*by a Lord.*) I wish you to give an Explanation of this Passage in your Letter to Mr. Hastings of the 6th of December 1781, upon which you was examined when you were last before the House, (*a*) namely, " the Resumption of the Jaghires, will be followed by the Measure heretofore proposed." (*b*) Do you remember that Passage in the Letter ?

A. Yes, I do.

Q. Then the Question is, At what Time, upon what Occasion, in what Manner, by whom, and to whom, the Measure thus described by you was proposed ?

A. The Measure I referred to, was the Seizure of the Begums Treasures.

Q. By whom proposed ?

A. It had at this Time been proposed by the Nabob himself, but previously mentioned in a Communication that I had with Sir Elijah Impey at Lucknow.

Q. In your former Evidence, when asked, whether the Measure was prior or subsequent to the Treaty of Chunar? you answered, long subsequent ; and explained that to mean, several Months, or some Months. State, as correctly as you can, upon Memory, the precise Time, when that Measure, so described by you, was proposed, by whom it was proposed, and to whom it was proposed ? You say the Measure was proposed by the Nabob ?

A. Yes, but subsequent to the Conversation I had had with Sir Elijah Impey at Lucknow. But I have likewise stated, and have a firm Belief, that that Measure was conversed upon with the

(*a*) Vide supra, Page 753.

(*b*) Vide supra, p. 724, and Appendix, N^o XXXVIII.

Nabob long before Sir Elijah Impey's Arrival. That is my own Belief, though I cannot positively take upon me to say that that is the Fact?

Q. At what Time did you first communicate to Mr. Hastings this Conversation you spoke of between the Nabob and you, when this had been the Subject of Conversation?

A. The Letter containing the first Communication to Mr. Hastings upon that Subject from Lucknow is in Evidence before your Lordships (a). I do not recollect the Date, but I beg it may be referred to.

Q. Before the Letter is referred to, I would ask whether we are to understand that the Measure which you describe in the Letter of the 6th of December to be a Measure proposed, be or be not the Measure mentioned in your Letter of the Second Day of the same Month? Do you remember the Measure that was mentioned in your Letter of the 2d of December?

A. Yes: I understand that to be the Measure of seizing the Begums' Treasures.

Q. Then I am to understand, that by the Measure heretofore proposed, you understand that Measure mentioned for the First Time in a Letter written Four Days preceding. Was that Letter of the Second of December the First Time that you made any Communication to the Governor General of the Conversation you had had about seizing the Treasures?

A. Undoubtedly, to the best of my Recollection and Belief, that was the first Time it was made either by me, or any Body with my Knowledge, from Lucknow.

Q. You say you perfectly recollect the Expression in your Letter of the 6th of December, that the Resumption of the Jaghires would be immediately followed by the Measure heretofore proposed, and that "heretofore proposed" is your Expression by which you describe to Mr. Hastings a Measure which was mentioned to Mr. Hastings, for the first Time, in a Letter, which, when the Second Letter was penned, Mr. Hastings probably had not even then received? Whether you think yourself accurate and correct in stating the Measure mentioned in the Letter of the 6th of December to be the same Measure with that which you communicated in the preceding Letter of the 2d of December? Do you, upon full Recollection, state that to be the Case?

A. I refer the Expression of "the Measure heretofore proposed," generally to the Seizure of the Begums' Treasures; I cannot say whether I confined it solely to that Proposal sent to Mr. Hastings, in the Letter dated the 2d of December, or whether I referred it to the Conversation I had with Sir Elijah Impey upon the Subject, but to the Measure most certainly of seizing the Treasures.

Q. Do you remember this Passage in your Letter of the 2d of December?

"I had Yesterday the Honour of informing you of the Message I sent to the Nabob, through the Minister, respecting the Jaghires, to which his Excellency, this Morning, returned me a Reply, purporting, that, if the Measure proposed was intended to procure the Payment of his Balance due to the Company, he could better and more expeditiously effect that Object, by taking from his Mother what she is very able to spare, and what he has an undoubted Right, as he conceives, to exact from her. The present Debt to the Company, as he with Truth observes, is a great Part handed down from his Father; and the Funds from which he might have been enabled to liquidate it, it is notorious, were withheld from him by the Begum, on the late Nabob's Death.

"This, my dear Sir, is a flattering Proposition, and as to the Point of Right, admitting it to be less clear and defined than the Nabob chuses to consider it, you may possibly be of Opinion that the Conduct of the Begums on the late Disturbances at Benares, as set forth in the several Testimonies laid before you, has forfeited any Claim they might originally have had to the Protection and Mediation of the Company, and further that it may not be political or yet perfectly Safe to trust them any longer with such powerful Means of promoting an Opposition to our Interests."

"P. S. Whatever may be your Resolution upon the Subject of this Letter, it will be expedient to keep it secret.—The Resumption of the Jaghires it is necessary to suspend until I have your Sentiments on this Letter." (b)

You see, by the Interpretation which you put upon the Letter at the Time, you do conceive that the Resumption of the Jaghires was so far doubtful as to be a Measure not to be carried into Execution, till you knew the Governor General's Pleasure on the Proposal made by the Nabob, which is evidently made as an Alternative:—Therefore I ask, How you can refer speaking of the Measure proposed, as following immediately the Resumption of the Jaghires;—how you can refer that Measure so described, to a Measure described so differently in your Letter of the 2d of December; how this Measure described to be "a Measure heretofore proposed," and which you admit to relate to the Seizure of the Treasures following immediately the Resumption of the Jaghires, can be that Measure which the Nabob proposed as, an Alternative but Four Days before?

(a) Vide supra, Page 720, & Appendix, N° XXXVIII.

(b) Vide supra, Page 720, 721.
A. It

A. It appears by the Letter, it was mentioned as an Alternative by the Nabob; I can only repeat, that I certainly did refer the Expression to the Seizure of the Begums Treasures.

Q. Do you still, upon your Recollection, state that your Letter of the Second of December was the First Communication that you ever made to Mr. Hastings upon the Subject of seizing the Treasures?

A. I never had a Doubt about it, nor have I at this Moment, that it was the First Communication I made to Mr. Hastings, on the Subject.

Q. Had any Answer to your Letter of the 2d of December arrived, before you wrote your Letter of the 6th of December?

A. I believe every Letter of Mr. Hastings, as well as every Letter from me to Mr. Hastings, both publick and private, upon that Subject, are now before your Lordships; I have no Recollection of any other Letter written from him or me upon the Subject.

Q. You will recollect, that in a Letter of the 5th of December to Sir Elijah Impey, which is now in Evidence (a), you state particularly, that the Treasures will be immediately seized: In consequence of what Order, did you, then the Minister Resident, act, when you came to the Determination of assisting the Nabob in seizing these Treasures?

A. By Order of Mr. Hastings, which will appear in the Letter before your Lordships.

Q. But I wish it to be particularly stated, when that Order was received; for you state that the first Proposal came from the Nabob, and consequently, did not originate with Mr. Hastings, but with the Nabob: Now, how is it possible, in the Nature of Things, that Mr. Hastings could give any Order relative to a Proposal originating with the Nabob; the Communication of which could not, in Point of Time, have reached Mr. Hastings?—Did you, in consequence of Orders received from the Governor General, propose directly, or insinuate indirectly to the Nabob, that such Proposal should come from him the Nabob?

A. It is impossible for me to say, whether I might or not: I have no Doubt, but in consequence of Conversation with Sir Elijah Impey, I might have told, or insinuated to the Nabob, that if the Proposal was made, it would not be unattended to.

Q. Can you, in so material a Part of your Administration, have totally forgotten, whether the Orders conveyed to you verbally from the Governor General, through Sir Elijah Impey, were or were not to endeavour, that such Proposal should come from the Nabob?

A. I really cannot recollect exactly the Purport of Sir Elijah Impey's Communication, further than as I have stated; it was an Acquiescence, that if the Nabob should propose it, Mr. Hastings would not object to it.

Q. You must see the very material Difference between Orders which purport to be a Willingness in the Governor General to acquiesce in that Measure, if the Nabob should, as you state the Nabob on former Occasions had done, express a Desire to seize the Treasures, and *proprio motu* propose it, and Orders of so different a Nature; namely, Orders to you as a Minister, to endeavour to get the Proposal to come from the Nabob. Recollect therefore, under which Description the Orders that you received are to be comprehended; namely, Orders of Acquiescence that you should intimate that such an Intention would no longer be opposed, or Orders to endeavour that the Proposal should be made by the Nabob? Do you attend to the Difference between a general Order, to prevail upon the Nabob to make the Proposition, and an Order only to intimate to him, that if he should make the Proposition it would not be rejected?

A. Certainly I understand the Difference.

Q. Which of these two were the Orders you received?

A. The Order I received from Mr. Hastings most certainly is upon record. The Communication I received from Sir Elijah Impey, I did not consider as an Order to act with the Nabob in the Business at all; I only conceived that it was a Communication upon which Mr. Hastings wished me, in all Probability, to consult with the Nabob, and that if he should make a Proposal for the Seizure of the Treasures, Mr. Hastings would not oppose it. I cannot charge my Memory, at this Distance of Time, with the particular Communication from Sir Elijah Impey, upon the Subject: I give your Lordships, to the best of my Memory, the Impression it made upon me at the Time, and which it has continued to make upon my Mind ever since.

Q. What Steps did you take in consequence of the verbal Communication you received through Sir Elijah Impey, in order to execute those Orders, whatsoever they were?

A. Is it meant of the Orders through Sir Elijah Impey.

Q. Yes?

A. I certainly did not consider that Communication through Sir Elijah Impey, to extend to more than that I was to consult with the Nabob upon it, and to inform him, that if a Proposal was made

(a) Vide supra, Page 721; also, Appendix, N^o LXIII.

by him to Mr. Hastings, it would be assented to; I certainly could have taken no Official Steps whatever, in consequence of that Communication through Sir Elijah Impey.

Q. The same Difficulty occurs, and I must once more desire an Explanation, as far as you can give it: After all this Recollection, what is the Sense you put upon those Words, " the Measure heretofore proposed?"

A. I am sorry to be obliged to repeat so often; it certainly is the Measure of seizing the Treasures, which, I knew from the Communication of Sir Elijah Impey, would not be opposed, whenever the Nabob should propose it as a Measure.

Q. I am to understand then, that that Expression refers to the Sense you put upon the Letter, which you received from Sir Elijah Impey. Do the Words " heretofore proposed" refer to the Letter you had received from Sir Elijah Impey?

A. I received a verbal Communication from Sir Elijah Impey; it might afterwards be mentioned by Letter. I certainly refer it generally to the Measure, whether it was communicated to me by Sir Elijah Impey, or by the Nabob.

Q. Whether upon Recollection of all the Circumstances that have been before you now, you do apply that Phrase of a " Measure heretofore proposed," to the Measure of seizing the Treasure, considering that upon the Second of December the Measure of seizing the Treasure had been spoken of as an Alternative to seizing the Jaghires?

A. Certainly I could apply it to no other Measure whatever.

Q. Could it have been so applied, unless you had received some subsequent Communication on the Subject from Mr. Hastings in some Way or other?

A. I certainly could not have spoken of it in the Manner I did, unless I had known it would have been a Measure accepted by Mr. Hastings.

The Witness was directed to withdraw.

Then the House adjourned to the Chamber of Parliament.

Die Veneris, 30^o Maij 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed with their Evidence.

Then it was moved, That Mr. Holt be called to the Bar, to correct a Mistake in the Minutes of his Evidence; and being called in accordingly, the following Questions and Answers were read by the Clerk.

“ Q. In what Character was Colonel Hannay in that Country ?

“ A. I understood him to be the Commander of the Military Force, and to have the Commissions under his Management.

“ Q. From whom did he derive the Authority of collecting it ?

“ A. I heard it was from the Vizier, from the Nabob.

“ Q. (*from a Lord.*) Did he farm the Revenue, or did he take it for the Vizier's Use ?

“ A. He received it for the Vizier's Use, as I understood.

“ Q. He received it for the Vizier's Use ?

“ A. So I understand.

“ Q. You know nothing of it ?

“ A. I know no Title for it.” (*a*)

Then the Witness was asked,

Q. Is the Expression, “ I know no Title for it,” accurate ? In what Sense did you use those Words ?

A. I do not recollect having made use of the Words in that View, and cannot explain it now but as an Inaccuracy.

Q. Do you, or do you not, know any Thing of the Manner in which Colonel Hannay received that Revenue for the Vizier's Use ?

A. Is it meant by what Authority ?

Q. You were interrogated, Whether Colonel Hannay received the Revenue as a Farmer, or, as Bailiff, for the Vizier's Use ? and you have said, that he received it for the Vizier's Use ; and when asked, Whether you had any Knowledge of it, you answered, you knew no Title for it ?

A. I fancy I meant, I knew of no Paper by which he was appointed, and which gave him Authority to collect the Revenue.

Then the following Question and Answer were read to the Witness :

“ Q. But you know he received it for the Vizier's Use ?

“ A. I know he did receive it, for I saw him carry it to the Vizier's House.” (*b*)

The Witness said,

I never could have seen it carried to the Vizier's House, because the Vizier's House was at the Distance of Eighty or Ninety Miles. I saw it carried to Colonel Hannay's Treasury, and from thence it was conveyed to Lucknow.

(*a*) Vide supra, P. 385.

(*b*) Vide supra, P. 385.

Then the next Question and Answer were read to the Witness, as follows :

“ Q. There is a Doubt about your Answer to that Question. The Question put to you was, Whether you knew of his receiving them to the Vizier's Use, or of his bringing them to the Vizier's Account ?

“ A. I did not make any Answer to that Question. I have answered, that I knew he did collect the Revenues of the Country, because I saw them paid into the Treasury. I understood they were for the Use of his Highness the Vizier ; but I know nothing more of it.” (a)

Then the Witness was asked,

Q. By Treasury in this Answer, you mean Colonel Hannay's Treasury ?

A. Yes ; the Place appropriated for receiving the Revenues, within his own Walls.

Then the following Questions and Answers were read to the Witness :

“ Q. Did you ever hear that another Remission of Two Lacks, besides that which you stated for the Damage the Nabob might occasion by Hunting in the Province, was demanded by Colonel Hannay ?

“ A. I have heard there was a subsequent Demand.

“ Q. To what Amount ?

“ A. To the same Amount.

“ Q. For what was that Remission ?

“ A. For the Damage which the Cavalcade of the Vizier might occasion.

“ Q. That was the Occasion specified for demanding the First Remission ?

Yes.

“ Q. Was the like Occasion specified upon the Second Time ?

Yes.

“ Q. Was it for Damage actually done ?

“ A. Not as I heard of, but for Damage that might be done.

“ Q. Were they both in the same Year ?

“ A. No.

“ Q. Now, in either of the Years did you hear the Vizier went into the Province ?

“ A. In One Year he did.

“ Q. Did he in the other Year ?

“ A. I do not know that he did.

“ Q. Did you hear that Remission was obtained ?

“ A. I do not know it was.

“ Q. Did you hear it was not ?

“ A. No.

“ Q. You said he did come into the Province One Year ; that was the Year he asked and obtained a Remission ?

“ A. Yes.

“ Q. Did he come into the Province the Second Year ?

“ A. Yes.”

Then the Witness was asked,

Q. Did you mean to say that the Vizier went in both those Years into the Province, or only in One ?

A. No ; only in One.

Q. In which Year did he go into the Province ?

A. He went into the Province the first Year ; the second Year he intended to go, but did not ; and, as it stands here, it is a very palpable Contradiction.

The Witness was directed to withdraw.

(a) Vide *supra*, P. 385.

The Managers for the Commons acquainted the House, they had observed a great many Errors in the Course of the printed Evidence, and submitted to the House in what Manner they might best be corrected.

The House informed the Managers for the Commons, that in point of Regularity, it could only be done by re-examining the Witnesses to the Passages which were supposed to be erroneous.

Then Sir ELIJAH IMPEY was called in, and the following Extract of the Minutes of Evidence was read.

" Q. Whether you was not examined before a Committee of the House of Commons ?

" A. I was.

" Q. Whether you recollect the Substance of your Answer to this Question. In a Letter of the 6th of December 1781, from Mr. Middleton to Mr. Hastings, there is this Sentence ; " Your Pleasure respecting the Begums I have learnt from Sir Elijah Impey, and the Measure heretofore proposed will soon follow the Resumption of the Jaghires : " to whom do these Words, " heretofore proposed," refer ? Do you recollect the Substance of your Answer to the House of Commons ?

" A. I really do not.

" Q. Do you recollect whether your Answer was, " By hearing the Letter read, I referred to a Proposal by Mr. Hastings through me to Mr. Middleton ? "

" A. I certainly do remember that Answer ; but I believe, if the Whole of my Evidence is taken together, it will appear I gave it there the same as I do now ; that I related to Mr. Middleton what had passed between Mr. Hastings and me, and that Mr. Hastings seemed to con-
to the Proposition, that it was right the Begums Treasure should be seized ; but I carried no Directions from Mr. Hastings, that it was his Will to have it so done.

" The Counsel for the Defendant objected to this Mode of Examination.

" The Managers for the Commons stated, that they had not waived their Right to examine the Witnesses they called to what they had said in another Place.

" The Witness desired the Answer might stand.

" Q. Did you understand that you conveyed more than Mr. Hastings's Consent to the Nabob's resuming of the Jaghires, namely, that you understood it was the Intention of Mr. Hastings that Mr. Middleton should recommend it to the Nabob as a Measure ?

" A. I still think that it was Mr. Hastings's Intention that it should be recommended to the Nabob as a Measure, and that I meant by, his consulting the Nabob upon the Subject : I do not make use of the same Words, but to exactly the same Purpose ; I should have considered the mere consulting the Nabob upon the Subject, if it was not the Intention of Mr. Hastings to recommend it, as merely nugatory." (a)

Then the Witness was asked,

Q. It is apprehended that the Question and Answer last read, were meant to apply to the seizing of the Treasures, and not to the resuming of the Jagheers. Have you any Memory of the Question, and how do you mean your Answer should stand ?

A. As far as I have any Recollection upon the Subject, it applies simply to the Resumption of the Treasures ; with regard to the Jagheers, I had nothing to say with regard to the Begums Jagheers in particular, but to all the Jagheers.

Q. Then you understood the Question referred to the Treasures only ?

A. I understood it referred to the Treasures only.

The Witness was directed to withdraw.

Then it was proposed by the Counsel for the Defendant, and agreed to, that in order to save Time, as the Errors were very numerous, the Managers for the Commons, and the Counsel for the Defendant, should meet and report to the House the Errors signed by the Witnesses respectively, and in case any Doubt should arise with respect to any Passage supposed to be erroneous, the Witnesses should be re-examined thereupon at the Bar, the Whole subject always to the Revision and Determination of the House.

Then the Managers for the Commons acquainted the House, they would next proceed to some written Evidence, to shew that the Directors did order an Enquiry

(a) Vide *supra*, P. 625.

to be made in India into the Conduct of the Begums, that all the World might know the real Truth of the Case, and that Mr. Hastings did stifle that Enquiry—previous to which they would read an Extract of a Letter from the Governor General to the Board, which first led the Court of Directors to order this Enquiry to be made.

Read, from Book 83, already delivered in, the following Extract of a Consultation of the 5th February 1782, beginning at Page 268 of the same Book.

Secret Dep.
Tuesday.

“ Fort William, 5th February 1782.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, who being returned to the Presidency
takes his Seat at the Board;
Edward Wheler, } Esquires.
John Macpherson, }
Sir Eyre Coote on Service in the Carnatic.

“ The following Letter from the Governor General, received on the 2d Instant, is now recorded.

“ P. 274.—3dly. The Engagements concluded on the 19th September with the Nabob of Oude, I did hope, that on his Return to his Capital, which I had urged for that Purpose, he would immediately have entered upon the Execution of the Measures necessary for the Accomplishment of the Plan which we had mutually agreed upon, and particularly the Resumption of the Jagheers; an Act equally necessary to the Restoration of the Peace of his Country, and to the Discharge of his Debt to the Company.

“ After having long waited with much Impatience for this Effect, I was apprised by the Resident's Letters, that the Nabob, from what Cause I know not, had shewn a great Reluctance to enter on this Business, notwithstanding the Warmth with which he himself originally solicited my Acquiescence in it; that he at length did resolve to carry it into Execution, and accordingly appointed an Amil to take possession of the sequestered Jagheers; but that a powerful Opposition had been prepared by the Begums, which had obliged him to apply for the Assistance of our Troops; and that the Resident had accordingly written to Colonel Morgan to send a Regiment of Sepoys for that Service. As the Resident at the same Time expressed to me his Opinion, that a larger Force would be requisite to surmount the intended Opposition, I judged it improper to expose a Service of such Importance, either to the Hazard of a Defeat, or to the Chance of a Delay, and therefore immediately issued Orders, of which you have already been advised, for the March of Colonel Sir John Cumming, with his entire Detachment, for the Performance of it, advising the Resident of it. He in Reply expressed an Apprehension, that the Nabob Vizier would object to the Movement of so large a Force into the Heart of his Dominions, without what he would deem an adequate Occasion for it, to other Motives, which might be productive of Consequences hurtful to our Connection with him, and intreated that the Order might be revoked, assuring me, that there was no pressing Occasion for it.

“ I accordingly ordered it to be suspended. In the mean Time, as I had conceived some Alarm from the Delays and Difficulties which had attended this Business, which did not appear to me of a Nature susceptible of them, I wrote to the Resident, requesting him solemnly to declare to me whether, with the Powers with which he had been invested, he was competent to carry into Execution this and the other Measures directed in my Instructions; that if he were not, I would myself proceed to Lucknow, and afford the Nabob my personal Assistance for carrying them into Execution; but that if in his Answer he should assure me that he was capable of accomplishing this Service, I would leave the Charge and Responsibility of it to him, and depart for the Presidency. I wrote a Letter to the Nabob in similar Terms. I received the Resident's Answer on the 2d of January; it contained a Declaration that my Presence was in no Shape necessary in that Quarter, and that he was fully competent to undertake and to effect the Accomplishment of all the Measures required by my Instructions, and that he should immediately march with the Nabob to Fyzabad for the Purpose of enforcing his Claims on the Begums.

“ On the Receipt of this Letter, concluding that the Nabob's Answer would be to the same Effect, and that I should be sufficiently warranted by them to leave the Business in their Hands, I prepared for my Departure, allowing a sufficient Time only for the Receipt of the Nabob's Letter, which I expected at the latest to receive on the 7th. On that Day I left Benaris, but proceeded only to a short Distance below the Town. At the same Time I caused an Intimation to be given to the Nabob, that although, to prevent a further Loss of Time, I had thought it proper to begin my Journey towards Bengal, yet I should proceed by short Stages, and suspend my final Resolution until I had received his Letter in answer to mine, still retaining the Resolution of conforming to the Contents of it. If these should require me to proceed to his Presence, according to the Tenor of the Proffer, and that if I did not receive it before my Arrival at Patna, I would wait for it there. It was not till my Arrival at Patna, which was on the 19th Instant,

that

that I did receive his Answer, a Translation of which shall accompany this. As it contained only a complimentary Invitation, accompanied with an Assurance similar to that given me by the Resident, in relation to the impending Business, I considered it as intended to leave me the free Option either to accept of his Invitation on the Footing he had expressed it, or to return to the Presidency. After much Hesitation, and I will confess with some Reluctance, I have resolved on the latter. I dread the Imbecillity and Irresolution which too much prevail in the Nabob's Council, and must influence in some Degree both the Conduct of the Resident and the Ministers; and I consider the impending Measure of too much Consequence to be exposed to the Risk of a Disappointment; yet the pressing Letters which I have written to the Nabob, the strong Injunctions which I have repeated to the Resident, and the positive Assurances which I have received from both, afford me every Reason to hope that they will be carried into Execution, without further Difficulty or Delay; and I am further confirmed in this Conclusion, by the subsequent Advices which I have received since my Departure: These amount to the following Substance—that the Nabob Vizier arrived at Fyzabad on the 8th, the Resident accompanying him; that on the 12th he found it necessary to employ a Military Force to take possession of the Kellah, which was effected without any Effusion of Blood. The Two Eunuchs, Bahar and Jowarhur Ally Cawn, who were the prime Movers of the late Troubles, and the active Leaders of the present Opposition, were taken into Custody, and their Followers, amounting to about Three or Four Thousand armed Men, expelled from the Town and dispersed. I think it proper to transmit to you a Copy of the Resident's Letter, and to refer you to it for the Particulars of this Event.

“ It may be necessary in this Place to inform you, that in Addition to the former Resolution of resuming the Begum's Jagheers, the Nabob had declared his Resolution of reclaiming all the Treasures of his Family, which were in their Possession, and to which, by the Mahometan Laws, he was entitled. This Resolution I have strenuously encouraged and supported; not so much for the Reasons assigned by the Nabob, as because I think it equally unjust and impolitic that they should be allowed to retain the Means of which they have already made so pernicious a Use, by exciting Disturbances in the Country, and a Revolt against the Nabob, their Sovereign. I am not sanguine in my Expectations of the Result of these Proceedings, but have required and received the Nabob's Promise that whatever Acquisitions shall be obtained from the Issue of them, it shall be primarily * applied to the Discharge of the Balance actually due from him to the Company. * Sic in Orig.

“ Notwithstanding the Resolution which I have taken to return to the Presidency, I yet foresee that many Events may happen which may again require my personal Attendance in this Quarter, but even these will require that I should first concert with you the Plan of my future Conduct respecting them. Though the Powers which I possess are ample and sufficient for every Purpose which may occur, yet as they were granted in a very different State of Affairs, it is become absolutely necessary that I should avail myself of a free and full Communication with you upon every probable Contingency, which may proceed from the Effects of the late Changes, before I can venture again, if it shall be at all necessary, to interfere with my own Authority in any of the Affairs of this Quarter.

“ I have made such a Provision for this Event that I shall at any Time have it in my Power to arrive at Lucknow within at least Three Weeks from my Departure from the Presidency, and there is little Cause to apprehend any material Change of Affairs in the short Interval which must necessarily precede my Arrival there.

“ I have the Honour to be, &c.

“ On the Ganges, near Sunagegunah,
January 23, 1782.

(Signed) Warren Hastings.” (a)

Read, the following Extract of a Letter from the Board at Calcutta to the Court of Directors, dated the 11th of February 1782, from Book 29, already delivered in.

“ Par. 3. The above Papers contain such a full Account of all the Transactions of the Governor General upon this Service, together with the Motives and Reasonings upon them, that we think it would be superfluous to add any Thing of our own, but to recommend them to your attentive Perusal.

“ Par. 4. By these it will appear that the Treachery and Intrigues of Cheyt Sing, supported by the Disaffection and restless Disposition of the Bhow Begum, Mother to the Nabob of Owde, at Fyzabad, produced Insurrections in that Country, which till lately we were unapprised of, on account of the Communication between that Place and Benares being wholly cut off.

“ Par. 5. At the same Time that the first Information of these Disturbances reached us, we were happy to hear that they had been quelled by the Accounts received there of the successful Efforts of our Troops in Benares, and the March of Two Regiments from Cawnpore to the Relief of Colonel Hannay, whose Sepoys gave evident Proofs, by their Desertion, that they had been tampered with, and he with most of his Officers were in great Danger of their Lives, a Detachment under Lieutenant Gordon having been actually attacked and cut off, and the rest of the

Corps being surrounded by the Rabble levied under Sanction of the Begum, avowedly for the Service of Raja Cheyt Sing.

" Par. 6. The Circumstance of these Levies is further corroborated by various Reports from Fyzabad, and by the List of Cheyt Sing's Forces delivered to the Governor General at Chunar, in which the Troops said to be come from Lucknow, which formed a Part of his Strength, must evidently be the same (since they agree in Number) with those which Colonel Hannay declares to have been raised and sent to him from Fyzabad.

(At the End.)

" Fort William,
11th February 1782.

Warren Hastings.
Edward Wheler.
John Macpherson." (a)

Read, the following Extract of a Letter from the Court of Directors to the Board at Calcutta, dated London, the 14th February 1783, from Book 42, already delivered in.

" 4. By the Second Article of the Treaty, the Nabob is permitted to resume such Jaghires as he shall think proper; with a Reserve, that all such Jaghiredars, for the Amount of whose Jaghires the Company are Guarantees, shall, in case of a Resumption of their Lands, be paid the Amount of the net Collections through the Resident.

" 5. We do not see how the Governor General could consent to the Resumption of such Lands as the Company had engaged should remain in the Hands of those who possessed them previous to the Execution of the late Treaty, without stronger Proofs of the Begum's Defection than have been laid before us: Neither can we allow it to be good Policy to reduce the several Jaghiredars, and thus uniting the Territory, and the Troops maintained for the Protection of that Territory, under one Head, who may by that Means, at some future Period, become a very powerful Enemy to the Company.

" 6. With respect to the Resumption of the Jaghires possessed by the Begums in particular, and the subsequent Seizure of the Treasure deposited with the Vizier's Mother, which the Governor General, in his Letter to the Board, 23 January 1782, has declared he strenuously encouraged and supported, we hope and trust, for the Honour of the British Nation, that the Measure appeared to be fully justified in the Eyes of all Hindostan.

" The Governor General has informed us, " That it can be well attested, that the Begums principally excited and supported the late Commotions; and that they carried their Inveteracy to the English Nation so far, as to aim at our utter Extirpation."

" 7. It must have been publicly known, that in 1775 the Resident at the Vizier's Court not only obtained from the Begum, Widow of the late Sujah Dowlah, on the Nabob's Account, Thirty Lacks of Rupees, Half of which was to be paid to the Company, but also the Forbearance of Twenty-six Lacks, for the Repayment of which she had Security in Land, on the Nabob's agreeing to renounce all further Claims upon her, and that to this Agreement the Company were Guarantees.

" 8. We find that on the 21st of December 1775, the Begum complained of a Breach of Engagements on the Part of the Nabob; soliciting your Protection for herself, her Mother, and for all the Women belonging to the Seraglio of the late Nabob, from the Distresses to which they were reduced; in consequence whereof it was agreed, in Consultation 2d January 1776, to remonstrate with the Vizier; the Governor General remarking, " That as the Representative of our Government has become an Agent in this Business, and has pledged the Honour and Faith of the Company, for the punctual Observance of the Conditions under which the Treaty was concluded, you had a Right to interfere, and Justice demanded it, if it should appear that those Engagements have been violated." And the Board at the same Time resolved, " That as soon as the Begum's Engagements with the Nabob, to which Mr. Bristow is a Party, shall be fulfilled on her Part, this Government will think themselves bound to protect her against any further Demand or Molestation."

" 9. If therefore the Disaffection of the Begums was not a Matter of public Notoriety, we cannot but be alarmed for the Effects which these subsequent Transactions must have had on the Minds of the Natives of India. The only Consolation we feel upon this Occasion is, that the Amount of those Jaghires for which the Company were Guarantees, is to be paid through our Resident at the Court of the Vizier; and it very materially concerns the Credit of your Government, on no account to suffer such Payments to be evaded.

" 10. If it shall hereafter be found that the Begums did not take that hostile Part against the Company which has been represented (as well in the Governor General's Narrative, as in several Documents therein referred to; and as it nowhere appears, from the Papers at present in our Possession, that they excited any Commotion previous to the Imprisonment of Rajah Cheyt Sing), but only armed themselves in consequence of that Transaction; and as it is probable that such a Conduct proceeded entirely from Motives of Self-defence, under an Apprehension that they themselves might likewise be laid under unwarrantable Contributions, we direct that you use your In-

fluence with the Vizier, that their Jaghires may be restored to them; but if they should be under Apprehensions respecting the future Conduct of the Vizier, and with our further Protection, it is our Pleasure that you afford those Ladies an Asylum within the Company's Territories, and these be paid the Amount of the Net Collection of their Jaghires, agreeably to the Second Article of the late Treaty, through the Medium of our Resident, as may be ascertained upon an Average Estimate of some Years back.

(Signed at the End),

Henry Fletcher,
Nath^l Smith,
John Harrison,
George Latem,
R. Hall,
Henry Savage,
Step. Lushington,
John Smith,
John Hunter,
L. Darell,
Joseph Sparkes,
Ben. Booth,
Jac^b Wilkinfon."

Read, the following Extract of a Consultation of the 28th August 1783, from Book 156; already delivered in, beginning at Page 731 of the same.

" Fort William, 28th August 1783.

" At a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President;
John Macpherfon, } Esquires.
John Stables, }
Mr. Wheler absent.

" Mr. Wheler having left the following Minute with the Secretary in consequence of reading the General Letter of the 14th February at the last Meeting, in the Public Department, it is now considered.

" General Letter from the Court of Directors, dated the 14th February 1783.

" Mr. Wheler.—It always has been and always will be my Wish to conform implicitly to the Orders of the Court of Directors; and I trust that the Opinion on * which I shall give upon that Part of the Court's Letter which is now before us, will not be taken up against its Meaning, as going to a Breach of them. The Orders at present under the Board's Consideration are entirely provisional. *Sic in Orig.

" Nothing has passed since the Conclusion of the Agreement made by the Governor General with the Vizier at Chunar, which induces me to allow the Opinion which I before held, as well from the Governor General's Reports to this Board as the Opinions which I have heard of many Individuals totally unconcerned in the Subject, that the Begums at Fuzabad did take a hostile Part against the Company during the Disturbances in Benares; and I am impressed with a Conviction that this Conduct of the Begums did not proceed entirely from Motives of Self-defence. But as the Court of Directors appear to be of a different Opinion, and conceive that there ought to be stronger Proofs of the Defection of the Begums than have been laid before them, I think that before we decide on their Orders, the late † present Resident at the Vizier's Court, and the Commanding Officers in the Vizier's Country, ought to be required to collect and lay before the Board all the Information they can obtain with respect to the Defection of the Begum during the Troubles in Benaras, and their present Disposition to the Company. † Sic in Orig.

" The Governor General desires to record the following Minute.

" The Governor General.—I think Mr. Wheler has misconceived the Intention of the Court of Directors. I have attentively read the Fourth and subsequent Paragraph of the Letter of the 14th February, but find no Order expressed or implied in them which can warrant the Enquiry proposed by Mr. Wheler. The Court of Directors is already in Possession of complete and legal Evidence of the hostile Part taken by the Begums of Fuzabad against the Company. I cannot directly object to the Proposal for collecting fresh Evidence on the same Charges, but I must be informed of the Object of it, before I can assent to it. I do therefore object to the Question in the present Terms and State of it."

Read, the following Extract of a Consultation of the 22d September 1783, from Book 84, beginning at Page 106 of the same Book.

“ Fort William, the 22d September.

“ At a Council, Present,
The Honourable Warren Hastings, Governor General, President;
John Macpherlon, } Esquires.
John Stables, }
Mr. Wheeler absent.

“ Read and approved the Proceedings of the 15th Instant.

“ The following Minute having been received from Mr. Stables the 18th Instant, is now recorded.

“ September 9th, 1783.

“ Mr. Stables.—The Court of Directors by their Letter of the 14th February 1783, seem not to be satisfied that the Disaffection of the Begums to this Government is sufficiently proved by the Evidence before them.

“ I therefore think that the late and present Resident and Commanding Officers in the Vizier's Country at the Time, should be called upon to collect what further Information they can on this Subject, in which the Honour and Dignity of the Government is so materially concerned, and that such Information may be immediately transmitted to the Court of Directors.

“ In the Enquiry proposed to be made, I wish it particularly to be attended to, whether any hostile Intention or Mark of Disaffection to this Government in the Conduct of the Begums appeared before the Troubles of Benaras.

“ I think the Resident at the Vizier's Court should be called upon to give Information to the Board whether the Amount of the Begum's Jaghires has been paid to them, and by what Channel the Payment has been made. The Governor General desires that the Paragraphs of the Letter from the Court of Directors of the 14th February 1783, to which Mr. Stables alludes in his Minute, may be entered in this Place, because it does not appear to him that the Court of Directors had directed any Enquiry to be made, such as is now proposed; that it appears to him both too late and unnecessary at this Time to renew it, as very strong and authentic Evidence of the Disaffection of the Begums has been collected and transmitted to the Court of Directors; and as the Reasons assigned by the Court of Directors, if these shall be transmitted with the Orders for the Enquiry, will prove in their Effect an Order collecting Evidence to the Justification and Acquittal of the Begums, not for the Investigation of the Truth of the Charges which have been preferred against them.”

“ The Governor General thinks it unnecessary to make any other Comment upon the Motion, or to give either his Assent or Dissent to it; but as the latter may be implied in the preceding Observations, if Evidence is to be collected, it should be collected from all Persons capable of giving it, and not confined to official Characters.”

“ Par 6th. With respect to the Resumption of the Jaghires possessed by the Begums in particular, and the subsequent Seizures of the Treasure deposited with the Vizier's Mother, which the Governor General in his Letter to your Board 23d January 1782 has declared he strenuously encouraged and supported, we hope and trust, for the Honour of the British Nation, that the Measure appeared to be fully justified in the Eyes of all Indostan. The Governor General has informed us “ that it can be well attested, that the Begums principally excited and supported the late Commotions; and that they carried their Inveteracy to the English Nation, so far as to aim at our utter Extirpation.”

“ 9th. If therefore the Disaffection of the Begums was not a Matter of public Notoriety, we cannot but be alarmed for the Effects which those subsequent Transactions must have had on the Minds of the Natives of India. The only Consolation we feel upon the Occasion is, that the Amount of those Jaghires for which the Company were Guarantees is to be paid through our Resident at the Court of the Vizier; and it very materially concerns the Credit of your Government on no Account to suffer such Payments to be evaded.

“ 10th. If it shall hereafter be found, that the Begums did not take that hostile Part against the Company which has been represented as well in the Governor General's Narrative, as in several Documents therein referred to; and as it no where appears from the Papers at present in our Possession, that they excited any Commotion previous to the Imprisonment of Rajah Cheyt Sing, but only armed themselves in consequence of that Transaction; and as it is probable, that such a Conduct proceeded entirely from Motives of Self-defence, under an Apprehension that they themselves might likewise be laid under unwarranted Contributions; we direct that you use your Influence with the Vizier that their Jaghires may be restored to them; but if they should be under Apprehensions respecting the future Conduct of the Vizier, and wish our further Protection, it is our Pleasure that you afford those Ladies an Asylum within the Company's Territories, and that be paid the Amount of the net Collection of their Jaghires, agreeably to the 2d Article of the late Treaty, through the Medium of our Resident, as may be ascertained upon an Average Estimate of some Years back.”

The Counsel for the Defendant requested Mr. Macpherson's Minute, upon the same Subject, might also be read.

The same was read, as follows, from a Consultation of the 13th October 1783, beginning at Page 681 of the same Book :

“ Fort William, 13th October 1783.

“ At at a Council; Present,
The Honourable Warren Hastings Esquire, Governor General, President,
John Macpherson, } Esquires.
and
John Staples, }
Mr. Wheler absent up the Country.

§ (“ Mr. Macpherson having delivered the following Opinion upon the Company's Orders of the
“ 4th February respecting the Begums at Fyzabad, it was sent in Circulation, and is now * Sic in Orig.
“ entered.

“ Received 8th October.

“ Mr. Macpherson.

25th September.

“ I have read the General Letter from the Court of Directors of the 14th of February with
“ Attention. When it was first read in Council, I understood the Paragraphs about the Begums
“ as directing an Investigation of the Grounds on which they were deprived of their Jaghires; and
“ that we should use our Influence with the Vizier to put them in Possession of the Jaghires, if
“ there was not sufficient Evidence of their rebellious Conduct, during the Troubles at Benares.

“ On a close Attention to the Words and Spirit of the different Paragraphs upon this Sub-
“ ject, I do not think that we are directed to commence any new Investigation of Evidence. In-
“ deed I do not well see how such an Investigation could be regularly undertaken, or what salutary
“ Purpose it could produce.

“ There has been no Appeal from the Begums to this Government; and there certainly was
“ sufficient Proof, at the Time that those who had the Management of their Concerns, during the
“ Troubles of Benares, were no Friends, but real Enemies, to the Cause of the English.

“ The Points which the Court of Directors seem to have most at Heart are, 1st, That the En-
“ gagement of the 2d Article of the Benares Treaty should be faithfully fulfilled; and 2dly, To
“ guard against the future Conduct of the Vizier, if he should be disposed to oppress the Begums.

“ We should therefore ascertain whether the Amount of the Jaguirs of the Begums is regu-
“ larly paid to them through the Company's Resident; and give them Notice that no future De-
“ mands shall be made upon them. This the Governor General might, I think, do in a Letter
“ that would make the Begums sensible of their past Misconduct, yet inform them of the Lenity
“ and gracious Intentions of the Company in ordering them an Asylum in Bengal, in case of future
“ Distress. In consequence of the foregoing Opinion from Mr. Macpherson, the following Minute
“ was delivered by the Governor General.

“ G. G. †

Gheretty, 9 October 1783.

† Sic in Orig.

“ I should gladly acquiesce in the Motion made by Mr. Macpherson, if I thought it possible
“ to frame a Letter to the Begums in any Terms which should at the same Time convey the Inti-
“ mation proposed by it, and not defeat the Purpose of it, or be productive of Evils greater than
“ any which exist in the Consequences of the Proceedings which have already taken place, and
“ which Time has almost obliterated. The Orders of the Court of Directors are conditional. They
“ require nothing but in the Event of Discoveries made subsequent to the Advices which were before
“ you on the 14th February last, in Alleviation of the former Conduct of the Begums; nothing has
“ since appeared in relation to them; but their Refusal, or rather that of One, to fulfil her En-
“ gagements for the Payment of the Remainder of the Sum exacted from her by the Nabob Vizier
“ in the Beginning of the last Year. Whatever Obedience may be due to the clear and ascertained
“ Spirit of the Orders of the Court of Directors, this Obligation cannot extend to Points of
“ which neither the Letter nor evident Spirit of their Orders apply. If I am rightly informed, the
“ Nabob Vizier and the Begums are on Terms of mutual Good-will. It would ill become this
“ Government to interpose its Influence by any Act which might tend to revive their Animosities;
“ and a very slight Occasion would be sufficient to effect it. It will be to little Purpose to tell them
“ that their Conduct has in our Estimation of it been very wrong, and at the same Time to announce
“ to them the Orders of our Superiors, which more than indicate the reverse. They will in-
“ stantly take fire on such a Declaration, proclaim the Judgment of the Company in their Favour,
“ demand a Reparation of the Acts which they will construe Wrongs ‡ which such a Sentence war-
“ ranting that Construction, and either accept the Invitation to the proclaimed Scandal of the
“ Vizier, which will not add to the Credit of our Government, or remain in his Dominions, but not
“ under his Authority, to add to his Vexations, and the Disorder of the Country by continual In-
“ trigues

Minute from
the Governor
General.

‡ “ Thus in
Orig.”

* Sic in Orig. "trigues and Seditions. Enough already exists to affect his Peace, and the Quiet of his People.
 "If we cannot heal, let us not inflame the Wounds which have been inflicted.

"If the Begums think themselves aggrieved to such a Degree as to justify them in an Appeal to foreign Jurisdiction, to appeal to it against a Man standing in the Relation of Son and Grandson to them, to appeal to the Justice of those who have been the Abettors and Instruments of their imputed Wrongs, let us at least permit them to be the Judges of their own Feelings, and prefer their Complaints, before we offer to redress them. They will not need to be prompted.

"I hope I shall not depart from the Simplicity of official Language in saying, that the Majesty of Justice ought to be approached with Solicitation, not descend to provoke or invite it, much less to debate itself by the Suggestion of Wrongs and the Promise of Redress, with the Denunciation of Punishment before Trial, and even before Accusation.

"(Signed)

W. Hastings.

"Mr. Macpherson.—I see with the Governor General the Difficulty of writing a Letter to the Begums, that would not, in some Degree, extenuate their past Conduct, yet convey to them a Knowledge of the Protection tendered to them in the Event of future Distresses by the Court of Directors.

"I wished to adopt an Expedient to shew the Company that we were ready to meet any Wishes they had on the Subject. I only suggested the Idea, but do not move it as a Question.

"The Majesty of Justice ought certainly to be met with Solicitation, and should not descend to provoke or invite it; but from some Expression in the Letter of the Court of Directors, I am led to think they had some Complaint before them, or a different Representation from the Evidence sent by this Government about the Rebellion of the Begums, when they wrote their Discrepancies of the 14th February last; otherwise they would either have approved or disapproved of the Conduct of this Administration, upon the Facts stated to them, or have been silent till they received further Advices. I agree with Mr. Stables, that the Resident at the Court of Oude should be called upon to state to the Board, whether the Begums have received the Amount of their Jaghuirs." §

Read, from Book 81, already delivered in, the following Extract of a Consultation of the 22th July 1783, beginning at Page 213 of the same Book.

"Fort William, 28th July 1783.

Secret Dep.
Monday.

"At a Council; Present,
 The Honourable Warren Hastings, Governor General, President,
 Edward Wheler, } Esquires.
 John Staples, }
 Mr. Macpherson indisposed.

"LIST of Mr. Middleton's public Correspondence with the Honourable Board, from the Period of signing the Treaty at Chunar, to the 23d October 1782, when he delivered over the Residency to Mr. Bristow.

"Of Date 17th October 1781, To the Honourable the Governor General.

20th	}	ditto	1781,	To	ditto	ditto
20th						
20th	ditto	1781,	To the Honourable Board.			
23d	ditto	1781,	Ditto	ditto.		
28th	ditto	1781,	To the Honourable the Governor General.			
29th	ditto	1781,	To the Honourable Board.			
30th	ditto	1781,	To the Honourable the Governor General.			
2d November		1781,	Ditto	ditto	ditto.	
14th	ditto	1781,	Ditto	ditto	ditto.	
4th December		1781,	Ditto	ditto	ditto.	
12th	ditto	1781,	To the Honourable the Governor General.			
17th	ditto	1781,	To the Comptroller of the Offices.			
19th	ditto	1781,	To the Honourable the Governor General.			
22d	ditto	1781,	Ditto	ditto	ditto.	
24th	ditto	1781,	To the Comptroller of the Offices.			
27th	ditto	1781,	To the Honourable the Governor General.			
30th	}	ditto	1781,	Ditto	ditto	ditto.
30th						
3d January		1782,	Ditto	ditto	ditto.	
10th	ditto	1782,	Ditto	ditto	ditto.	
13th	ditto	1782,	Ditto	ditto	ditto.	
15th	ditto	1782,	Ditto	ditto	ditto.	
18th	ditto	1782,	Ditto	ditto	ditto.	

"Of

Of Date 20th January 1782, To the Honourable the Governor General.
25th ditto 1782, Ditto ditto ditto.
27th ditto 1782, Ditto ditto ditto.

(At the End of the List),

(Signed)

Nathl Middleton.

(And at the End of Consultation),

(Signed)

Warren Hastings,
John Macpherson,
John Stables." (a)

Read, from Book B, already delivered in, the following Letter from Mr. Middleton to Mr. Hastings, dated the 8th October 1782.

" To the Honourable Warren Hastings, Governor General, &c. &c. &c.

" Sir,

" Inclosed I have the Honour to forward you Letters from his Majesty Shaw Aulum and Mirza Shuffee Cawn; and am, with the highest Respect,

Sir,

Your most obedient and

most humble Servant,

(Signed) N. Middleton, Resident, &c."

Read, from the Appendix to the Banares Narrative, the following Extract, beginning at Page 87 of the same.

" Num. 37.

" To the Nabob Vizeer.

" Your Excellency will have heard from Report the rebellious and treacherous Conduct of Cheit Sing, which has delayed for a few Days my Departure towards Lucknow; and I am now arrived at Chunargur, where I shall remain some Time, to punish this Treachery and Rebellion, which has originated from his own wicked Disposition. Your Excellency will therefore be pleased to return to Lucknow; and as the sole Object of my Journey from Calcutta to this Quarter was to have an Interview with your Excellency, by the Blessing of God having shortly punished in an exemplary Manner this Rebel, I shall be made happy by meeting your Excellency, who in the mean while must not suffer any Apprehensions or Doubts to exist respecting this Business.

" As in this Time of Necessity Troops are wanted here, and our Concerns are the same, I have therefore written to Lieutenant Polhill, who is with some Companies of your Excellency's Sepoys at Illahabad, to come to this Place, and have promised to acquaint you with it; assuring him, that your Excellency will approve of his coming here.

" Chunargur,

23d August 1781.

" Warren Hastings." (b)

Read, also, the following Extract from the same Appendix, beginning at Page 88 of the same.

" Num. 39.

" To Mr. Nath. Middleton, Collector, &c. Lucknow.

" Sir,

" Immediately upon Receipt of this Letter you will be pleased to pack up and dispatch One Lack of Rupees in Silver, to be delivered here to the Commanding Officer of this Place. Should you not possess a Sum equal to this Amount in your Treasury, you will be pleased to exert every Means in your Power to raise it upon your own Credit, or otherwise; and when prepared, put it in charge of the Officer commanding the Regiment of Sepoys which I lately ordered from Khaunpoor to Lucknow. He is directed to escort the Treasure with his whole Force to this Place.

" You will further be pleased, immediately on Receipt of this, to send an Agent to Illahabad, with Directions to purchase Grain to such Amount as he may be able to dispatch by Water from thence to this Fortreis, for the Use of the Troops encamped near it.

" You will also, as soon as possible, acquaint the Nabob Vizeer, that instead of meeting him upon the Road from Lucknow to Banaris, I now intend meeting him at Lucknow; and that I consequently request he will immediately return to that Place, and there wait my Arrival.

" Chunargur,

the 23d of August 1781.

" I am, &c.

" Warren Hastings." (c)

(a) Vide Appendix, N^o XLIII.

(b) Vide supra, P. 195.

(c) Vide supra, ibid.

Read, also, further Extract from the same Appendix, beginning at Page 102 of the same.

“ Num. 67.

“ To the Honourable Warren Hastings Esquire, Governor General, &c.

“ My dear Sir,

“ I am this Instant favoured with your's of the 24th, and I Yesterday received your publick Letter of the 23d. The Khaunpoor Regiment is arrived at Lucknow, and by To-morrow will, I have no doubt, be on its March, with a Lack of Rupees, to join you. Provisions will also be sent you daily from Illahabad. The Nabob will move towards you immediately. No Persuasions will induce him to return to Lucknow. On this Subject I have written fully to Johnson. I have received no Letters from you but the Two above mentioned. We shall be near you in Eight Days.

“ Hussaupoor,
29th August 1781.

“ My dear Sir, &c.
“ Nath. Middleton.” (a)

Read, also, the following Extract from the same Appendix, beginning at Page 104 of the same.

“ Num. 69.

“ To the Honourable Warren Hastings Esquire, Governor General, &c.

“ Honourable Sir,

“ The unusual Failure of Intelligence from you, and the Reports which are brought to me by the Natives being fraught with alarming Accounts of your Situation, have determined me to detach immediately Two Regiments of Sepoys, 40 European Artillery-men, with Four Guns and One Howitz, with Orders to proceed with all Expedition to join you; and the Officer commanding the Detachment has Orders to pursue such Measures, and make such Movements, as he shall deem expedient, according to his Intelligence, for effecting that Service. They will set off on Saturday next, September the 1st. The Artillery, for the sake of Expedition, is to go down by Water to Illahabad, where it is to wait for the Arrival of the Sepoys. I shall immediately order Three Battalions from the Detachment at Calpee to march to this Station, and One Battalion under Major Gilpin will be left for the Protection of that Place. A fresh Supply of Ammunition has been dispatched to Lucknow for Major Roberts's Regiment.—Though I cannot but imagine, that were your Situation anyways critical or dangerous, and you stood in need of Military Force to assist you, I should not have remained so long without receiving Orders from you to send Troops down; yet I doubt not but the Step I have taken will receive your Approbation, as there is a Possibility of your Orders having miscarried, and the Consequence of a Delay, in such a Case, might prove serious and dangerous.—I shall order the Regiment of my Brigade that is now at Futtehgur, to march down to this Station as soon as possible.—As the quick Arrival of this Letter to your Hands is promised to be rewarded by you, or the Officer who receives it, I beg leave to request that you may be pleased to order the Sepoys and Boatmen such Rewards, honorary or pecuniary, as you may think equal to the Merit of their Service.

“ I have the Honour to be, &c.

“ Khaunpoor,
29th August 1781.

James Morgan, Colonel.”

“ Num. 70.

“ To the Honourable Warren Hastings Esquire, Governor General, &c. Banaris.

“ Honourable Sir,

“ Since I inclosed the accompanying Duplicate, I have received a Letter from Lieutenant Pigott at Illahabad, covering a Note from Colonel Blair, to communicate your Orders to an Officer commanding a Detachment proceeding from Khaunpoor to Banaris by Water; and Lieutenant Pigott has sent Three Copies of it that have since arrived. His Care and Attention I must beg leave to recommend here, as from these I received the first authentic Intelligence of your being in want of Troops to assist you; and as by the Words of Colonel Blair's Note, it appears that you had dispatched Orders to me for sending a Detachment of Troops down to Banaris; but these Orders never reached me, and I am now at a Loss to know what Strength you wished the Detachment. To-day, Part of the Detachment I send down to you under Command of Major Crabb will embark, and To-morrow the whole will set off: It consists of a Party of Artillery under Captain Hill, the Two Flank Companies of the European Regiment, and Two Regiments

(a) Vide supra, Page 203.

of Sepoys, with Four 6 Pounders and One Howitz; Tumbrils, Ammunition, Draft and Carriage Cattle. All will proceed by Water, but no more Boats can be procured here.

" Khaunpoor,
30th August 1781.

" I have the Honour to be, &c.

James Morgan, Colonel." (a)

" N. B. The Bearer is highly deserving a good Reward."

Read, also, the following Extract from the same Appendix, beginning at Page 103 of the same.

" Num. 75.

" To the Nabob Vizier.

" I was made happy by the Receipt of your Excellency's Two Letters, accompanied by Mr. Middleton's, acquainting me that you have advanced some Days Journey from Lucknow, and arrived at Peepulpoor, and that you would proceed from thence towards this Place, where you would soon arrive. Before this I wrote to your Excellency, requesting that you would lay aside your Intention of coming here, and return to Lucknow, that you might not suffer any Inconvenience on the Road, from the rebellious Disposition of Cheit Sing's People; and that I, having settled these Matters, would proceed to an Interview with your Excellency; and that you ought by no means to think of coming to this Quarter. But as I learn, that notwithstanding this, your Excellency is resolved on coming to my Assistance, I am filled with the highest Gratitude for so noble a Proof of your Friendship. It is now incumbent on your Prudence and Circumspection that you advance with the greatest Caution, to prevent any Inconvenience from the Treachery of Cheit Sing's People. As soon as I am informed of your Excellency's Approach to Chunar, I will cross the River with as many Troops as I have with me, and will proceed to meet you. Three Days ago Major Popham, with a small Part of his Detachment, attacked a large Force of Cheit Sing's entrenched near the Fort of Pateeta, defeated them completely, and took Four Guns, several Tumbrils of Ammunition, and a considerable Quantity of all Sorts of Military Stores. I beg leave to congratulate your Excellency on this signal Success." (b)

" September 6th, 1781."

Read, also, a further Extract from the same Appendix, beginning at Page 109 of the same.

" Num. 77.

" To the Honourable Warren Hastings Esquire, Governor General, &c.

" Honourable Sir,

" A Detachment of 100 Europeans, 30 Artillery Men under Captain Hill, 2 Regiments of Sepoys, 1 Howitz, &c. under the Command of Major Crabb, set off by Water on the 31st ult. for Chunargur. Your Order of the 25th ult. I received the 1st, and that of the 26th on the 2d. I sent by Express your Order to Colonel Cumming immediately. I am preparing to follow the Detachment with my whole Force as soon as possible. I have wrote to you Letters in Triplicate, to inform you of what I have done. I have given Major Crabb particular Orders to carry down Grain and Provisions with him and gave him 25,000 Rupces to purchase it with, which was all the Cash in the Treasury here. I am now much distressed for Boats. Some of my Letters I sent down by Water. Depend upon my using the utmost Expedition.

" Khaunpoor,
4th September 1781.

" I have the Honour to be, &c.

" James Morgan, Colonel." (c)

Read, also, the following Extract from the same Appendix, beginning at Page 110 of the same.

" Num. 79.

" To Colonel Morgan.

" You have acted nobly; and with a Decision that does you Honour. I most heartily thank you. I have had a Letter from Major Crabb, dated the 2d, from Illahabad: He proposed to march by Land from thence, and I expect him hourly, though I have not heard from him since. The Nabob is near; Major Moses Crawford is also on the Way from Dynapoor, and is reported to be at Sukkerdeea, which is but 4 Cos from Ramnagar. I have written to you the News of the 3d. On that Morning Captain Blair, with 5 Battalion Companies and 2 Companies of Major Popham's Grenadiers, with Two Six Pounders, attacked the Enemy, encamped in a Body of more

(a) Vide supra, Page 206.

(b) Vide supra, Page 206.

(c) Vide supra, ibid.

than 4000 Men, at Pateta; and after a very severe and doubtful Conflict, in which we lost 105 Men, killed and wounded, he obtained a most decisive Victory, taking all their Guns and Ammunition, viz. 4 Guns, 4 Tumbrils, and of Ammunition an incredible Quantity, most of which he destroyed, spiked One Gun, and brought away the rest. I hope that it will be unnecessary for you yourself to proceed this Way; yet march, and use your own Discretion in advancing. If your Presence shall be required, you will receive the surest Proof of it by the Failure of my Letters. I less fear the actual Enemy than the Contagion of the Example. I am much pleased with the Nabob.

“ Chunar,
8th September 1781.

Warren Hastings.”

“ Num. 80.

“ To the Honourable Warren Hastings Esquire.

“ Dear Sir,

“ Futch Shah, Genoo Roy, and Ajeet Mull, with a large Body of armed Men, are come into Huseepoor. The Two last have, I understand, joined Futeh Shah, on a Promise of his Assistance in obtaining Possession for them of their Zemeedaries in Gooruckpoor, which is to be the Second Object of this Confederacy. I have no Force to defend any Part of my Districts, and have therefore been under the Necessity of calling on the Zemeedars of Sircar Sarun for their Assistance on this Occasion, and some of the principal Men amongst them are gone with their Dependants to Huseepoor; but I confess I have no great Confidence in them. Several of them are intimately connected with Cheit Sing; there are also some allied by Marriage to Doorgbijey Sing and to Owfan Sing. The Names of these last are Gopaul Narain, Serib Narain, Govind Narain, Hir-Govindlaw, Boniller Saw, and Ragonaut Saw. Letters to them from Doorgbijey Sing and Owfan Sing would be of infinite Service, and might in some Degree counteract the infamous Attempts of Cheit Sing. One Letter of his (and I have Reason to believe there are many in Circulation) addressed to Durjoo Sing, a Zemidar of the District, at present employed in Huseepoor, was by him carried to the Aumil of that Place, who immediately sent it to me. It is signed by Cheit Sing's own Hand, and has the large Seal of his Government affixed to it. He therein desires Durjoo Sing to kill every European and Sepoy he can, and join him with all his People.

“ In my Letter of the 25th ultimo I acquainted you with the Application I had made to Colonel Ahmuty for a Battalion of Sepoys, and with his Refusal. He wrote me, that the whole Force at Dinapoor was Nine Companies; that they were lately incorporated, and the Arms they had unserviceable.

“ I have the Honour to be, &c.

“ Chuprah,
4th September 1781.

Charles Græme.” (a)

Read, also, a further Extract from the same Appendix, beginning at Page 117 of the same.

“ Num. 94.

“ To the Honourable Warren Hastings Esquire.

“ Honourable Sir,

“ It is with the greatest Concern I send you the inclosed for Mr. Middleton, intercepted by the Rajah's People. There is another Letter from Major Hannay, dated Fyzabad, 10th instant; the Purport of which is nearly the same as that inclosed, to caution you against the secret Designs of the Nabob, and that he (Major Hannay) is much distressed and ill. The Rajah will not suffer me to send the Major's Letter to you, from some capricious Whim: I dare not now ask him; but the Major says nothing more than I tell you. I was obliged, from sad Necessity, to tell the Rajah some Part of the Contents of the inclosed; but I took care it should be merely plausible: I omitted such Particulars as he might take the least Advantage of. For Heaven's Sake, Sir, condescend to listen to some Terms of Conciliation, while we can do it without lessening our Dignity. Pardon me the Presumption of advising you. I am, it is true, wanting in Wisdom and the Knowledge of Politicks, but I see the Rajah is very (I fear too) formidable. I am greatly distressed at the Contents of the inclosed Letter. Heaven avert the impending Storm, and protect you ever!

“ Lutteefpoor,
Tuesday Night, 11 o'Clock,
18th September 1781.

“ Jacob Barnet (b).”

(a) Vide supra, Page 207.

(b) Vide supra, Page 210.

Read, also, the following Extract from the same Appendix, beginning at Page 140 of the same.

" Num. 120.

" To Colonel Morgan.

" Sir,

" In my Letter to you, dated the 24th instant, I acquainted you, that as the Nabob expected his Return to his Capital would put a Stop to the Disturbances which have lately arisen in his Country, it was unnecessary for you to proceed to Lucknow with your Brigade, as I at first directed. From a subsequent Conversation with the Minister, I find there is a Probability that the Nabob may be deceived in his Expectations, and still require your Assistance; I have therefore directed Mr. Middleton, on the Nabob's Application to him in Writing for that Purpose, to apply to you for the Aid of such a Force as the Nabob may require; which I request you will be pleased to furnish on Mr. Middleton's Requisition.

" Ramnagur,
27th September 1781.

I am, Sir, &c.

Warren Hastings."

" Num. 121.

" To the Honourable Warren Hastings Esquire.

" Honourable Sir,

" I was honoured last Night with your Letters of the 24th instant; and beg leave to assure you, it is the Summit of my Ambition to merit your Approbation of my Conduct; and the Compliment you paid the Troops which I sent you, heightened my Satisfaction with additional Pleasure. In consequence of your Letter of the 19th, desiring me to halt at this Place, I immediately ordered that Part of my Brigade that had crossed over the Joosy, to recross; but in order to lose no Time, I shall directly march towards Lucknow, and, agreeable to your Directions, shall direct Colonel Sir John Cumming to cross immediately at Khaunpoor, and proceed to Lucknow with Two Regiments, and Four Guns, and to comply with such Requisitions as the Nabob or the Resident make to him for Assistance, to establish Tranquillity in his Excellency's Dominions. But I have the Pleasure to inform you, that I learn, both by Letters written by Gentlemen at Lucknow, and from my Intelligence Writer there, that the Commotions have subsided, and they entertained no Alarm, but from the Situation of Chunar; and I am ready to conclude, that the Brigade's halting here operated in some Measure to produce that good Effect; and I am now concerned I sent to you that Extract from Mr. Blanc's Letter, as I apprehend it was written without a right Consideration of Circumstances, and caused you some unnecessary Alarm. Captain Law will cross the River To-morrow Morning with all the Cavalry fit to serve on active Service, and I have given him Instructions to use all Expedition on his Way down to Chunar. I shall march on this Side the Water up to Khaunpoor. I will write to Mr. Middleton to let me know if the Assistance of my Troops is wanted, and shall be prepared to afford him any Aid, either with my whole Force, or any Part of it, should the Detachment with Colonel Sir John Cumming not prove sufficient for quelling any Disturbances in the Nabob's Country; but in the present State of the Country I make no doubt of Colonel Cumming's Force being enough. As the Exigence of Affairs does not seem now to be pressing, I have left it to Colonel Cumming's Option, either to proceed with the Detachment, or to go and command at the Station of Futteh Ghur, with the Two Regiments he has left there, till further Orders from me.

I have the Honour to be, &c.

J. Morgan." (a)

" Camp near Illahabad,
27th September 1781.

Read, also, the following Extract from the same Appendix, beginning at Page 143 of the same.

" Num. 124.

" Translation of a Letter found in Lutteefpoor the 6th of October, and forwarded to the Governor General by Captain Thomas Blair.

" On Thursday, after my Arrival at Banaris from Buxar, I went to Sewallah-Ghaut with a View of representing to you several Circumstances which I had learned concerning the opposite Party; but as they had got in before me, I was deprived of an Opportunity of seeing you. I was present at the Place where your Friends and People were sitting, and where they assembled together; and when you went into the Boat, notwithstanding it was my earnest Desire to have accompanied you, yet I had no Opportunity of doing it. The ensuing Day, the Passage of Boats to and fro was entirely obstructed, and I was afraid to send you Intelligence from this Place, lest the Letter should have fallen into the Hands of the Enemy. They remained afterwards Four Days at this Place

(a) Vide supra, Page 223.

with a few Men, and if you had then attempted to retaliate on them, you would certainly have taken Two Pigeons in One Trap; but as all your Actions are accompanied with good Fortune, there is no Doubt but the Enemy will be soon overcome. For Two Days the Hircarrahs of the opposite Party came to my House to make Enquiries; but, by the Blessing of God, no ill Consequence ensued. Now that you have taken this heavy Burthen upon yourself, you must trust entirely in God, and shew, on all Occasions, the utmost Fortitude. The Alliance of several Chiefs, at a Time like this, is very necessary, and may be easily accomplished; yet you must avoid forming any Connection with a Chief of such Consequence as may afterwards himself attempt an Interference in your Affairs. Whatever Orders you give, must proceed from your own Deliberation. I am at present perfectly idle here, and I am very solicitous of an Interview with you, that I may in Person communicate to you my Opinions on several Points which have occurred to me. By a Letter from Bulwunt Row, I understand that you wish me to inform myself concerning the Arrival of Hyder Beg, and to write you on the Subject.

" I will assuredly make every necessary Enquiry, both about Hyder Beg and the Nabob Assof ud Dowlah, and communicate to you the Result. I have already sent confidential Persons to both, and whatever I may in consequence learn, shall be communicated to you hereafter. Meanwhile the Matter is briefly this: You must never entertain Hopes of the Attachment of Hyder Beg; his whole Strength and Power depend on the opposite Party; yet it is proper you should attempt to conciliate the Favour of the Vizeer, by telling him that you are desirous of representing several Circumstances to him; that you wish to persuade him to detach himself from the opposite Party, and to resume his former Authority over you. Without knowing your Sentiments on this Subject, it is not in my Power to act so of myself.

" It is however at all Events adviseable, that if the Vizeer should entirely embrace the other Party, you should nevertheless wait upon him personally, and represent to him whatever you may deem adviseable. I beg you will believe me to be in every Respect firmly attached to you. Major Hannay with One Battalion has left Gooruckpoor, and Letters have been sent to Khaunpoor for Troops from thence; you should therefore retaliate on them as soon as possible. If Hyder Beg, without your Consent, should attempt to join the opposite Party, it is proper you should station a suitable Force on this Side of the Fort of Chunar, to prevent his crossing the River. Yesterday Rajah Gobind Ram and Lalla Bucheraje went and had an Interview with Hyder Beg. What more shall I say? The Object of Hyder Beg is certainly to manifest his Attachment to the opposite Party." (a)

Read, from Book C, already delivered in, the following Letter from Mr. Auriol to Mr. Middleton, dated the 23d May 1782.

" To Mr. Nathaniel Middleton, Resident at the Vizier's Court.

" Sir,

" I am directed by the Honourable the Governor General and Council, to acquaint you, that the Letter which you have written to the Governor General, enclosing the original Treaty concluded by him with the Vizier at Chunar, contained only that Part to which the Nabob had agreed and affixed his Seal; I am therefore to request that you will also send down the Requisitions made by the Vizier, to which the Governor General agreed, and affixed his Seal and Signature.

" I am,

Sir,

" Fort William,
the 23d May 1782.

Your most obedient Servant,
(Signed) J. P. Auriol,
Secretary."

To shew the Time when Mr. Middleton received the first Notice of his Recall from Lucknow,

Read, from the same Book, the following Letter from the Board to Mr. Middleton, dated the 23d of September 1782.

" To Mr. Nathaniel Middleton, Resident at the Vizier's Court.

" Sir,

" Having thought fit to recall you to the Presidency, and appoint Mr. John Bristow to succeed to your Station, we hereby direct, that on Mr. Bristow's Arrival at Lucknow, you immediately deliver over Charge to him of the Office of the Resident, with all the Treasure, Accounts, Papers, Documents, and Dependencies thereunto belonging, and make the best of your Way to Calcutta; for which Place you will then set out without further Delay.

" We are, Sir,

" Fort William,
the 23d September 1782.

Your most obedient humble Servants,
(Signed) { Edward Wheeler,
John Macpherfon."

Then the Counsel for the Defendant requested, that as it had been suggested Yesterday, that the Letter of the 12th of December 1782 was suppressed, Mr. Robert Hudson might be called in.

Accordingly Mr. ROBERT HUDSON was again called in, and the following Question was put to him:

Q. Can you turn to a Letter from Mr. Bristow to the Board, dated the 1st December 1782?

A. Yes.

The Counsel for the Defendant requested, that before the Letter of the 1st of December 1782 was produced, an Extract of a Letter from the Board to Mr. Bristow, dated the 3d of March 1783, might be read, from a Consultation of the same Date.

The same was read from Book 85, already delivered in, beginning at Page 310 of the same Book:

§ (" Fort William, 3d March 1783.
 " At a Council; Present,
 " The Honourable Warren Hastings Esquire, Governor General, President;
 " General Sir Eyre Coote, Commander in Chief.
 " Edward Wheler, } Esquires.
 " John Macpherson,
 " John Stables,
 " We desire you will inform us if any, and what Means, have been taken for recovering the
 " Balance due from the Begum at Fyzabad, and, if necessary, that you recommend it to the
 " Vizier to enforce the most effectual Means for that Purpose.
 " We are, &c.
 (Signed) Warren Hastings,
 (Signed) Eyre Coote,
 (Signed) Edw^d Wheler,
 (Signed) John Macpherson,
 (Signed) John Stables.") (a)

§

" Fort William,
 3d March 1783.

Secret Dep.
 Monday. 13.
 March.

Then the Counsel for the Defendant requested that an Extract of the Letter above-mentioned from Mr. Bristow to the Board, dated the 1st December 1782, might be read.

The same was accordingly read from the same Consultation, beginning at Page 253, of the same Book.

§ (" Major Gilpin, with One Battalion, has been stationed at Fyzabad, for the Purpose of supporting the Vizier's Claim against the Begum for the Recovery of his Patrimony deposited in her Charge. I applied to the Vizier immediately upon my Arrival, for his Consent to withdraw this Battalion, seeing little Probability that violent Measures would effect any further Payments. I proposed to him, to trust to her Generosity for the Liquidation of the Balance, which was about Five Lacks. The Vizier would not at that Time acquiesce in my Proposal, but determined on making one more Effort previous to leaving it in her Discretion to prolong the Term of Payment; his Excellency accordingly addressed a Letter to the Begum, conveying his Sense of her evading the Performance of her Engagements, in very harsh Terms; and threatening in case of Non-compliance with them, that her Eunuchs should continue in Confinement, and Means be taken to recover the Money from her, as the Company would never be satisfied without it: The Begum in reply represented her Inability, having paid away all the Treasure ever entrusted to her Charge by the late Vizier; but if the Eunuchs were enlarged, she might, with their Assistance, be enabled to raise the Money upon Credit. On his Excellency's receiving this Answer, I renewed my Solicitations for Permission to withdraw the Battalion, resting the Matter upon the Begum's Promise of discharging the Balance when her Eunuchs should be released: I was induced to this Measure by the Representations of Major Gilpin, who had been employed in the Business from the Commencement; his Opinion, asserting that every practicable coercive Exertion had been used, I beg leave to submit to you in the enclosed Copy of his Letter to me on the Subject. The Vizier at length acquiesced in the Battalions being withdrawn; for which I was the more anxious, as your Instructions to me disapprove of Detachments, and the State of Affairs requires the Appearance of a formidable Force on the Frontiers.") (a)

§

" Lucknow,
 the 1st December 1782.

(At the End)

John Bristow,
 Resident at the Vizier's Court."

The Witness was directed to withdraw.

Read, a further Extract of the Letter of the 3d March 1783, from the Board to Mr. Bristow; from the same Book, and same Consultation, beginning at Page 304 of the same.

§ (Agreed that the following Letter be written to Mr. Bristow.

“ To Mr. John Bristow.

“ Sir,

“ Having received and taken into our Consideration the following Letters from you, we shall now transmit you our Sentiments and Orders upon them.

23d November.

1st December.

11th Ditto.

19th Ditto. Two Letters.

20th Ditto.

30th Ditto.

(At the End)

(Signed) Warren Hastings,

(Signed) Eyre Cooté,

(Signed) Edw^d Wheler,

(Signed) John Macpherson,

(Signed) John Stables.” (a) §

“ Fort William,
3d March 1783.

Then the Managers for the Commons desired an Extract might be read from a Consultation of the 12th of May 1783.

Read, the following Extract, from Book 80, beginning at Page 634 of the same Book.

“ Fort William, the 12th May 1783.

“ At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

Edward Wheler, } Esquires.
John Macpherson, }

“ The Governor General lays before the Board the following Letters from Mr. Bristow to him, dated 12th December.

“ To the Honourable Warren Hastings Esquire, Governor General.

“ Honourable Sir,

“ Your Instructions of the 23d October have been the invariable Rule of my Conduct; and now I have held my Office a sufficient Time to speak with some Degree of Certainty to most Points, I shall enter upon an Explanation of the State of this Government.

Your Observation, that your new Measures will require a long Time to execute, is but too true. The total Want of System, and lawless Habits which prevail, must be corrected by progressive Means; the Peace and Security of the Country, and Regularity in the several Departments of the State, will be gradually established. I beg leave to answer the several Heads of your Instructions in the same Order in which you have placed them.

First Head,
Balance and
Assignment.

“ Immediately after my Arrival I urged the acting Minister to devise and recommend Arrangements for the complete Discharge of the Balance at the Conclusion of the Year. To relieve myself from Censure in case of Failure in this essential Point, it is necessary I should explain the Transaction with the Bankers. The Balance at the End of last Year was not in fact paid, but transferred to the Bankers, and increased by the Load of a very high Interest. There were Two distinct Engagements;

One for Bills immediately granted on the Presidency for — — 26,50,000

Another for Teeps promising Bills, to be delivered by Installments at the following

Periods, and in the following Proportions, viz.

Bhaudun	—	—	—	—	1189	—	6,50,000
Cooaur	—	—	—	—	1190	—	6,50,000
Caurick	—	—	—	—	D ^o	—	6,50,000
Aughun	—	—	—	—	D ^o	—	6,50,000” (b)

Then the Managers for the Commons desired Mr. Middleton might be called in.

(a) Vide Appendix, N^o LXXXVI.

(b) Vide Appendix, N^o LVIII.

Then

Then NATHANIEL MIDDLETON, Esquire, was again called in, and examined as follows.

Q. To whom did you deliver the Prisoners Bahar and Jewar Ali Kawn, at Fyzabad?

A. I believe, to Major Naylor, but I am not quite certain.

Q. Did you give any Written Orders to Lieutenant Rutledge upon that Occasion?

A. Certainly, Written Orders were given when the Prisoners were delivered up.

Q. Do you recollect what those Orders were?

A. I do not particularly.

Q. Try to recollect them; they are very short; you have been reminded of them.

The Counsel for the Defendant objected, that as the Orders were stated to be in Writing, the Inquiry should be what was become of that Writing, before the Witness was asked as to his Memory of them.

The Witness was asked;

Q. Where are those Orders now, do you know where they are?

A. Not the Original Orders—a Copy of them is no doubt in the Office at Lucknow.

Q. Do you know whether they are in your Letter Book?

A. I do not know whether they are.

Q. Whether this is the Purport of the Order; “Sir, when this Note is delivered to you by Hoolas Rai,——

The Counsel for the Defendant objected to the Question.

Q. Can you recollect what was the Purport of your Orders?

A. Upon this Question, I must beg Leave to throw myself upon your Lordships Indulgence: My Conduct at Fyzabad seems to have met with the Disapprobation, not only of the Honorable the House of Commons, but of the Person from whom I was deputed to conduct that Business.—I do conceive I am more particularly charged, with respect to the Proceedings at Fyzabad, than even Mr. Hastings himself.—I shall therefore hope, if it shall so appear to your Lordships, that I may be excused answering any Questions with respect to that Business, which may tend to criminate myself.

Q. Whether or no you did not assist Mr. Hastings in his First Defence in the House of Commons, and give him Information with respect to the Transactions at Fyzabad?

A. I have already informed your Lordships, how far I did assist; I certainly did give him every Information that occurred to me respecting the Affairs of my Department.

Q. But particularly with respect to the Transactions at Fyzabad?

A. To the Affairs of Oude, in general.

Q. *by a Lord.*) Did you, or not, give him Information particularly with respect to the Affairs of Fyzabad?

A. No Doubt, the Information respecting the Affairs of Fyzabad, was one Part of the Information.

Q. Did Mr. Hastings, when you informed him respecting the Affairs of the Begums, and the Ministers, at Fyzabad, express his Disapprobation to you at that Time?

A. I do not recollect ever making any particular Communication to Mr. Hastings upon that Subject. With respect to the Begums Ministers, the Eunuchs, it is under that Construction, I conceive, that I am more particularly criminal in that than in any Thing else, because it is One of the few Instances in which I used my own Discretion; if there is any Criminality in that Affair, I conceive that Criminality will attach to me more than to Mr. Hastings.

Then the following Passage was read, from the Preface to the Defence of Mr. Hastings at the Bar of the House of Commons.

“Before I proceed to reply to the Charges respecting my Conduct to the Begums, and on the Affairs of Oude; I must observe, that they contain Particulars of which I was totally ignorant, till I read them in the Charges. I am therefore very much indebted to the Assistance of Mr. Middleton, and to the Information of Gentlemen who were in Oude when the Transactions alluded to happened (a).”

Then the following Question was put to the Witness:

(a) Vide supra, Page 413.

Q. Whether, among the Circumstances which Mr. Hastings gathered, and for which he here thanks you, you did not inform him of the Treatment of the Eunuchs, and of the Distresses of the Women in the Khourd Mahl, and of those other Particulars to which Mr. Hastings replies in his Answer to the Charges?

A. I really do not recollect the Particulars of my Information to Mr. Hastings; they certainly contained every Thing that occurred to my Mind upon the Affairs in which I had been concerned.

Q. Mr. Hastings also says, in his Defence, "My last Orders therefore for its Execution, is all that I am answerable for; the rest depended upon the Instruments which were employed in it; and so little on myself, that I was ignorant of the whole Mode of its Execution, till it was done:" (a) Recollect whether you did, or did not, conceal from Mr. Hastings all those Circumstances, or whether you communicated them to him?

Q. (by Counsel.) Whether the Communication was in Writing?

A. It was.

Q. (by the Managers.) Do you know whether you communicated all those Circumstances?

A. I believe I did, but I cannot be certain that I did; but all the Communications I made upon that Subject were certainly in Writing.

Q. Do you mean to say, that all your Communications to Mr. Hastings upon this Subject since you came to England have been in Writing? Have you communicated to Mr. Hastings otherwise than by Writing the Passages respecting Fyzabad?

A. I do not believe I have, but it is very possible that in Conversation I might mention those Passages; but I do not recollect particularly that I communicated those Circumstances, but in Writing.

Q. Mr. Hastings, in his Reply to the Charges of the House of Commons, does say, that since he has been in England, you have communicated to him several Circumstances upon this Subject, of which he was totally ignorant before. Do you recollect having made that Communication to Mr. Hastings, since you came to England?

A. Nothing further than what I have already informed your Lordships of.

Q. What have you informed us of?

A. Of the Informations I gave Mr. Hastings in Writing.

Q. Was there no verbal Communication?

A. I beg leave to refer to the Answer I have before given to that Question; I cannot pretend to say, that I may not have conversed with Mr. Hastings upon the Subject, though I declare, if I ever did, it is so slight, that it has entirely escaped my Memory: I do not recollect, ever professedly conversing with Mr. Hastings upon the Subject; if I ever had any Conversation with Mr. Hastings upon the Subject, it has been in Company, as a general Conversation, and not any Thing in particular between him and myself.

Q. Whether you did or did not assist Mr. Hastings, or his Agents, in drawing up his Answer to the Charges of the House of Commons?

A. I have already confessed, I did furnish Mr. Hastings's Agent—as he is called—Major Scott, with all the Information in my Power, upon the Affairs of Oude.

Q. Then in furnishing him with Materials upon that Subject, did you or did you not communicate the Circumstances in Question, with respect to the Treatment of the Eunuchs and of the Begums?

The Question was objected to.

Then the preceding Question and Answer were read by the Clerk, and the following Question was put to the Witness:

Q. Whether the Treatment of the Begums and the Eunuchs at Fyzabad, and the Women in the Khourd Mahl, did not make a Part of that Information which you gave to Major Scott?

A. The Treatment of the Eunuchs, I am pretty sure, did make a Part of the Information given to Major Scott.—With respect to the Treatment of the Women in the Khourd Mahl, I am not so certain, I do not believe it did.

Q. Therefore, when you said you made no Communication to Mr. Hastings upon the Subject, you did not mean to include in it his Agents?

A. I meant to say, I had no particular verbal Communication either with Mr. Hastings or his Agents.

(a) Vide supra, Page 417, 5th Line from the Bottom.

Q. Were the Communications made to Major Scott in Writing?

A. Yes.

Q. Do you mean to say you had no Conversation with the Agents?

A. I cannot say that I might not have had Conversation with them too, upon the same Subject; but my Communications to Major Scott were in Writing, and very full to every Point that I could give him Information upon.

Q. Whether you had not read the Charges of the Commons before you gave any Assistance to Mr. Hastings in answering them?

A. No Doubt, I had.

Q. Did you omit to inform Mr. Hastings, or his Agents, of any Transaction within your Knowledge, relative to the Matter of the Charge?

A. It is impossible for me to say whether my Informations to Major Scott were complete, or not. I gave him such Informations as occurred to me at the Time relative to the Affairs of Oude.

Q. And not meaning to conceal any Thing?

A. Not meaning to conceal any Thing.

Q. Whether, upon the Communications made by you, Mr. Hastings then expressed a Disapprobation of any Part of those Transactions?

A. I do not know he did; he did not to me.

Q. Then when was it you learned that you was so unfortunate as to have your Conduct, in that Transaction, disapproved by Mr. Hastings?

A. My Conduct at Fyzabad was One Article of the Charge, made against me by Mr. Hastings and the Council at Calcutta.

Q. Whether any Part of that Charge made against you by Mr. Hastings was, that you had used too much Severity; or, on the contrary, that you had used too much Lenity and Forbearance upon that Occasion?

A. I would wish to refer to the Charge itself, and to Mr. Hastings's Letter upon the Subject.

Q. (by a Lord.) You are understood to have said, you acted from yourself at Fyzabad, and that the Course of your Conduct was not communicated to Mr. Hastings in Oude:—Do you remember particularly the Letter that you wrote to Mr. Hastings upon the 5th of February 1782?

A. Not particularly.

Then a Paper was shewn to the Witness, who said:

Yes; I recollect it certainly.

Q. Do you wish to correct your former Answer?

A. I perceive it does state generally, that the Begums Ministers had been imprisoned.

Q. You said, you acted from your own Discretion; that your Conduct had been disapproved, and that the Treatment of them had not been disclosed: Now the Information in this Letter is, that the Ministers had been imprisoned, and in Irons?

A. The Observation I wish to make upon that Letter is, that it is a considerable Time after the Transactions, when I said that I had used my own Discretion; it was at the Time of executing the Measures at Fyzabad. I recollect very well, writing several Letters to Mr. Hastings on the Subject; and no Doubt, that some of them must generally have related to the Proceedings at Fyzabad.

Q. Whether, at any, and at what Time, Mr. Hastings expressed his Disapprobation of those Transactions to you?

A. Not of the particular Transaction with respect to the Eunuchs, but of my Conduct and Proceedings in general at Fyzabad.

Q. You did not, in your Defence to that Accusation, state that “wherever Force could be used it had not been spared,”—that the Begum had been “reduced to the Mercy of the Nabob,” and that “her Ministers were in Irons.” Do you remember the Tenor of your Defence to that Charge?

A. I certainly do remember that that is the Tenor; but for more Accuracy, I wish to refer to the Answer itself.

To shew that Mr. Hastings approved of the Treatment of the Begums when it was communicated to him,

Read the following Extract from the Minutes of Major Scott's Evidence at the Bar.

“**Q.** After the Time of your having read that Introduction to Mr. Hastings, do you recollect whether he added any Thing to the Defence?

" A. There is a particular Passage, which I am clear must have been added by Mr. Hastings: The Passage I was going to read to your Lordships was added by Mr. Hastings: ' I have conducted the Narration of the preceding Detail to its Close, without chusing to interrupt it, or to disturb the Attention of my Honourable Hearers, by the concluding Observation which I now think it necessary to make upon it—because I held the whole Series of the Acts thus connected strictly reconcilable to Justice, Honour, and good Policy, whoever were the Parties concerned in them.' (a)

Q. You state you read the original Charges. Whether you gave any Authority to Major Scott to deny your having given this Order to Lieutenant Francis Rutledge:

" Sir,

" When this Note is delivered to you by Hoolas Roy, I have to desire that you order the Two Prisoners to be put in Irons, keeping them from all Food, &c. agreeable to my Instructions of Yesterday.

(Signed) " Nathaniel Middleton."

Did you give any Authority to Major Scott to deny your having issued any such Orders?

A. I certainly gave no such Authority to deny it; but I most humbly entreat your Lordships will consider the Predicament in which I stand: These do appear to me, to be leading Questions, of the same Tendency as the First Question; and I hope your Lordships will allow me Permission to decline answering them.

Q. Whether Major Palmer, when he was at Lucknow, was not in constant Correspondence with the Governor General?

A. I understood so.

Q. Did you know Major Davy?

A. Yes, I did.

Q. Was he not at Lucknow, at the same Time, or the greatest Part of the Time, Major Palmer there?

A. He came with Major Palmer there: he staid, I think, but a few Days; not many Days.

Q. In what Character did he come with Major Palmer?

A. By the Letter of Mr. Hastings to me, or in Major Palmer's Instructions, he is mentioned as Major Palmer's Assistant; I knew him in no other Character at Lucknow: in one of those Letters, or in Major Palmer's Instructions, I certainly have seen him mentioned as his Assistant.

Q. Did not Major Davy return again to Lucknow, after he had left it the First Time?

A. I believe not, to the Best of my Recollection he did not.

Q. Do you think it possible, that any Matter of material Consequence could have happened, respecting either the Begums, their Ministers, or the Nabob's Government, without its being communicated either by you, Major Palmer, or Major Davy, to Mr. Hastings?

A. I should apprehend not; I should think it most likely, that they would have been communicated.

Q. Was the Nabob in the City of Fyzabad, when the Kella was stormed, and the Eunuchs taken Prisoners?

A. He was not.

Q. Where was he at that Time?

A. He was near the Town of Fyzabad, encamped in a Place called the Rumna.

Q. To whose Custody did Bahar Ali Khan, and Jewar Ali Khan deliver themselves?

A. May I be permitted to ask, if that is not a Question of the same Tendency with the one that was first put to me; if not, I am ready to answer it.

Q. Do you know into whose Custody they were delivered?

A. They either surrendered themselves, or were delivered into the Custody of the Nabob.

Q. How long did they remain in the Nabob's Custody?

A. A very short Time.

Q. Relate whose Custody they came into afterwards, and by what Means?

A. I am sorry to be obliged to recur to your Lordships Indulgence again upon this Subject; I beg that I may be informed, through your Lordships Indulgence, whether I am obliged to answer that Question.

The Managers for the Commons stated, that they were confident the House would not admit as a Reason for a Witness's declining to answer, his merely saying he conceived it would criminate himself.

The Witness said,

I am justified in my own Opinion most clearly; I am clearly of Opinion, that the Eunuchs were certainly guilty of the Crime alleged against them: But my Conduct in another Place has not been considered in the same Light in which I considered it myself; and upon that Ground I conceive I am justified in making the Objection.

Q. What other Place do you allude to?

A. I mean by the Honourable Managers.

Q. Will you swear that, to your Knowledge and Belief, the Nabob had any Will of his own upon any Measure of Importance at that Period?

A. I cannot doubt but he had.

Q. Any Will that he could carry into Effect. Was he in a Situation to carry his own Purposes into Effect?

A. I have no Doubt but he was.

Q. Did you frequently directly contradict the Will and Inclination of the Nabob?

A. I have done it on certain Occasions most undoubtedly; sometimes with Success, and sometimes I have failed.

Q. Name an Instance in which you failed?

A. I could, with a very little Recollection, name a great Number of Instances; but in general I certainly did use all the Influence in my Power to prevent those People, who have been distinguished in this House as the Orderlies, from having great Collections and great Commands about the Nabob, conceiving them to be very improper Persons for such a Trust; but I never was able to succeed, in any One of the Instances in which I interfered with respect to those People.

Q. Did you, upon any Occasion, issue your own Perwannahs in the Nabob's Country?

A. In One Instance I did go some Length in issuing my own Perwannahs, which is in Evidence before your Lordships.

Q. Was that Instance against the Will of the Nabob, or with it?

A. It appeared to be against the Will of the Nabob.

Q. Did you think yourself authorized to place any Person upon the Nabob's List, for Pensions or Gratuities after the Treaty of Chunar?

A. Upon my own Authority?

Q. Yes.

A. No; certainly not.

Q. Upon whose Authority did you do it?

A. Is the Fact established that I did do it?

Q. Did you ever do it?

A. I do not know I did.—No; certainly I did not.

Q. It is in your own Evidence that you did do it. With respect to the Communication made with Mr. Hastings respecting Persons to be placed privately upon the Nabob's Pension List, you said you had not received a written Order from Mr. Hastings, but that it was a verbal Communication, that the Names were given to you verbally?

A. I recollect it; and I believe it will be found, by recurring to that Evidence, that it meant Persons who were to stay at Lucknow. I do not recollect it mentions a single Word about Pensions.

Q. Recollect whether you did or did not receive any Instruction, Direction, or Communication, from Mr. Hastings, respecting any Persons continuing to receive Pensions, or Gratuities, after the Treaty of Chunar?

A. I am very sorry to have Occasion to throw myself on your Lordships Indulgence again: This is a Question which certainly must criminate myself; if I did receive such Orders, or acted upon them; or without acting upon them, if I did not disclose them to my Superiors, I was clearly criminal.

Q. The Question now is, Whether you did receive any Orders to that Effect?

A. If I did receive them, and did not disclose them, I believe it will be found I certainly was criminal in that respect.

Q. Whether you did not receive Instructions from the Board, whom you state as your Superiors, and to whom you was bound to communicate every Thing, to obey Mr. Hastings's Orders as clothed with the Authority of the whole Council?

A. Certainly, during his Continuance in the Upper Provinces.

Q. Then whether you did not receive such Orders from Mr. Hastings?

A. May I ask what Orders?

Q. To continue any Persons whatsoever upon Pensions, or Gratuities, after the Treaty of Chunar?

A. I really do not recollect that I received any Orders from Mr. Hastings upon the Subject. I certainly have mentioned, that I received a Communication from Mr. Hastings in Conversation, mentioning the Gentlemen that were to remain at Lucknow.

Q. Whether, according to the best of your Recollection, you have not received some Orders or Communications, respecting Persons to continue upon Pensions or Gratuities after the Treaty of Chunar?

A. I really do not recollect I did; but I must again observe, that if I did receive them, and did not disclose them, I was criminal in so doing; if I am not so, I wish to be informed by your Lordships. According to my own Conception, I am criminal in receiving such Order without disclosing it.

Q. Did you receive the Orders or not?

A. I do not recollect I received any Orders, but I believe I have occasionally received Recommendations from Mr. Hastings.

Q. Whether you did not receive some of those Recommendations before you parted with Mr. Hastings at Chunar?

A. I rather think I did.

Q. Where was the Money, which was seized of the Begums Treasure at Fyzabad, found; in what Houses, or where dug out?

A. It was found in the Houses of the Two Eunuchs.

Q. By whom was it found?

A. By the Nabob's Agents.

Q. Do you know who those Agents were?

A. I cannot say at this Time that I recollect the Names of them: His principal Agent went with Major Naylor, when he went into the Town, and continued there as the Nabob's Manager or Governor of the Town for a Number of Days.

Q. To whom was the Money brought, when it was found?

A. It was brought to the Resident.

Q. To you?

A. Yes; in consequence of an Order from the Nabob.

Q. Whether Jewar Ali Khan had a fine House and Garden at Fyzabad?

A. I do not recollect ever to have been in his House, or in his Garden.

Q. Whether Bahar and Jewar Ali Khan were Men of Wealth, and great Property?

A. They were supposed to be so; I had no Opportunity of ascertaining the Fact.

Q. By what Means did you know, that the Treasures, dug out of the Ministers Houses, were not their Property, but the Property of the Begums?

A. I had certainly no Means of ascertaining whose Property they were; I took it for granted they were the Begums Property, because they said so.

Q. To whom did they say so?

A. They pointed out the Places where the Begums Treasures were lodged; such as were under their Custody, belonging to the Begums; they pointed out the Places where they were concealed.

Q. They pointed them out as the Begums Treasures?

A. Yes.

Q. To whom did they point them out?

A. To the Nabob's Agents.

Q. Do you mean, while you were at Chunar; the First Delivery of the Money?

A. No; while I was at Fyzabad.

Q. Do you mean, the First Delivery of the Money?

A. It was while I was at Fyzabad.

Q. Was that the Time you are speaking of, that they were pointed out as the Begums Treasures, to the Nabob's Servants?

A. Yes.

Q. Were the Ministers, frequently afterwards, pressed and threatened, to oblige them to discover the Places where the Begums Treasures were concealed?

A. I hope your Lordships will permit me to decline answering that Question, as a Part of the former Examination.

Q. To whom was the Bond of the Begum's Ministers for paying the Balance given. Do you know of any Bond given by the Begum's Ministers?

A. It was given to the Nabob's Ministers, in the Name of the Resident, for so much Money to be paid to the Resident on account of the Nabob. The Bond was taken from the Eunuchs for the Nabob's Minister.

Q. Who was the Obligee in the Bond; to whom did they stand bound by that Bond; was it in the Form of an English Bond, or any thing like it?

A. It was a Persian Paper.

Q. To whom was the Contract made?

A. To the Resident.

Q. To whom did you assign that Bond? Was it assigned?

A. It never was assigned to any Body that I know of.

Q. Was no Security received by you upon that Transaction, made over afterwards by you to Gopaul Dofs?

A. No, not that I recollect.

Q. Do you remember writing a Letter to Mr. Brilow upon your leaving the Residentship?

A. Yes; I do.

Q. Do not you recollect stating, that Gopaul Dofs did hold some of the Securities you had of the Begums Ministers?

A. I believe not; there were never any Securities given by the Begums Ministers but what I have spoken of.—It might be possible that Gopaul Dofs might have had a Promise, that the Balance that remained due from Fyzabad should be paid to him; I have some Recollection of that, and suppose that may be alluded to in my Letter, but I wish to refer your Lordships to the Letter itself.

Q. Was not the Balance or some Securities for it remaining, which the Begum made over to Gopaul Dofs. Do you remember whether the Balance, or some Security for it, was made over to Gopaul Dofs?

A. I have just said, that I think the Balance due from Fyzabad was in some Manner or other made over as a Security to Gopaul Dofs, but that will appear more accurately by the Letter.

Q. Can you account in what Manner the Money had been advanced by Gopaul Dofs, for which he was to receive that Security?

A. That will also appear by the Letter.

Q. Whether any, and what Means, were taken by you, while the Ministers were in Confinement, to institute an Enquiry concerning their supposed treasonable Practices?

A. There were none taken by me.

Q. Or any respecting Shumshire Khan?

A. None. I must beg leave to notice, that I have been all along under a Mistake with respect to the Continuance of Shumshire Khan under Confinement at Fyzabad. When I was examined upon that Subject before the Honourable Committee of the House of Commons, I expressed myself very doubtfully, but I rather thought that he had been released. I was confirmed in that Idea, from never having seen his Name mentioned, from the Time he was put into Confinement at Fyzabad, until it was mentioned in the House of Commons. It was neither mentioned in Major Gilpin's or Captain Jaques's Letters, or any other that I recollect. By never having his Name mentioned, from the Time of his being put into Confinement at Fyzabad, till it was mentioned in the House of Commons, I did not find out my Mistake till a few Days ago, on conversing with Major Gilpin, who informed me he had been released by him at the same Time with the other Two Prisoners; and the same Evidence afterwards delivered by Major Gilpin at your Lordships Bar served to confirm that I had been in that Mistake.

Q. Whether you omitted any Means whatever to discover the Treasures?

A. I apprehend not: That depended a great deal more upon the Nabob's Agents in that Business, than upon myself: I apprehend every Means were taken to discover the Treasures.

Q. Whether you can account for some Leaves being torn out of your Letter Book D, exactly at the Time where that Order to Lieutenant Rutledge to take Charge of the Ministers, and which has been read, should have appeared in the Book?

A. I cannot.

Q. When you went to Fyzabad to assert the Nabob's pretended Right to the Treasures in Possession of the Begums, what Requisition you made upon the Begums for Money?

A. I

A. I made none.

Q. What Requisition was made upon the Part of the Nabob:—Do you know?

A. I have heard that it was to a much larger Amount than was agreed for; but I have heard it only by Report: I cannot say that I know exactly what Amount the Nabob did demand, but I have heard that it was much more than was afterwards agreed for.

Q. Do you recollect what Sum?

A. I think I have heard that the Nabob went there with a Determination to demand a Crore of Rupees; but I cannot pretend to say that was the Fact.

Q. Do you know what Answer was made to that Requisition?

A. No; I do not.

Q. How came you to take so little Concern in the Quantity of a Demand, the Whole of which, when recovered, was to be applied to the Use of the Company? Was the Whole of the Demand, when recovered, to be applied to the Use of the Company?

A. It was, unless it had exceeded the Amount of the Company's Claim on the Nabob.

Q. Then how came you to pay so little Attention to the Amount of the Demand?

A. It was the Concern of the Nabob and of his Ministers more than mine certainly; I was to receive from them whatever they did recover from the Begums.

Q. Was not the Amount of that Sum a Matter of great Concern to you?

A. Not personally—to my Employers certainly.

Q. Recollect whether any Answer was made to that Requisition said to be made by the Person called the Nabob?

A. I really do not recollect; if I have heard it, I certainly have forgot what the Answer was.

Q. If the Nabob's Demand was for a Million, as the Effects of his Father, do you know how he came to be satisfied to receive a less Sum?

A. No, I do not.—It was a Matter of Agreement between the Nabob and the Begums themselves, to which I was no Party. The Part of my Duty was only to receive from the Nabob, in behalf of the Company, whatever he should tender of the Begums Treasures.

Q. Was not the Begum's Bond, or that of her Eunuchs, in the First Instance, given to the Resident, and not to the Nabob?

A. I have mentioned that it was given in the Name of the Resident: A specific Sum was agreed to be paid by the Begum to the Nabob, and the Nabob agreed that that Money should be paid over to the Company, in discharge of his Debt to them.

Q. Whether the Begum's Bond was not, in the First Instance, given to the Resident; and how soon after the Storming of the Kella?

A. Very soon; a few Days afterwards; I cannot speak to a Day; It was not a Bond of the Begums, but an Engagement of the Eunuchs, to pay so much on account of the Begums.

Q. Where is that Bond?

A. I believe it was left in the Office at Lucknow; I am not certain.

Q. Who put it in the Office. Did you leave it in the Office?

A. I have no Doubt I did; or it might be left with the Nabob's Minister; I cannot say.

Q. Was that Bond ever completely discharged?

A. Not while I staid there.

Q. How came you to be so indifferent about the Disposition of a Bond, a considerable Balance on which was due, and which was for the Benefit of the Company?

A. Certainly, I was not; if it was left in the Office at Lucknow with my Successor, that was undoubtedly the proper Place for it. I take it for granted it was left there, or in the Hands of the Nabob's Minister.

Q. Are you sure of that Alternative? Can you recollect certainly, whether it was left in one, or other, of those Custodies?

A. I cannot certainly.

Q. Then you know nothing of it with Certainty?

A. No.

Q. At what Time was the Money dug out of the Houses of the Ministers Jewar and Bahar Ali Khan, and paid to you?

A. Very soon after they surrendered themselves to the Nabob, a Part of it was. It was many Days in digging out, and bringing to the Rumna, where I was encamped with the Nabob.

Q. How

Q. How many Days ?

A. I really cannot say to a Day, or even to Two Days, but several Days; possibly a Fortnight; I cannot say.

Q. Was the Bond given before the Delivery of the Treasures, or afterwards ?

A. Before, to the Best of my Recollection.

Q. Are you sure of it ?

A. I have no Doubt but it was : The Bond was for a certain Sum of Money; and they began paying immediately after they gave the Bond.

Q. As you received the Bond for a specific Sum of Money; upon what Principle was that specific Sum fixed, as the Limit of the Nabob's Demand; do you know ?

A. No, I do not indeed.

Q. Whether you enquired, when the Begum's Treasures were delivered, whether they were delivered as the Whole of the Treasures of the late Nabob, or only as a Part ?

A. I had no Means of enquiring, but from the Nabob and his Ministers : They certainly affirmed, that the Begums declared they were the Whole of the Treasures that they had; I know very well, that both the Nabob and his Ministers thought otherwise.

Q. What Means were used, to make the Eunuchs deliver up this particular Treasure ?

A. With great Submission, may I not treat that as a Question of the former Tendency ?

Q. Had you any thing to do with the Process of recovering the Money ?

A. Certainly, I had.

Q. Whether the Money was not paid and delivered in the Original Specie, in which it was found in the Houses of the Ministers ?

A. It was.

Q. Was it received according to the Account of the several Years, the Value the Money stood at in the several Years, in which it was issued in Discharge of the Bond ?—Do you understand the Nature of the Question ?

A. I believe I do. The Bond was given for a specific Sum of a certain Species of Rupee, of Fyzabad Rupees, or Lucknow Sicca Rupees, I forget which, it was one of them; and the Money that was received was of a Coinage of several Years back; it could therefore only be received as Bullion, which is the usual Way of receiving it. The new Coinage alters every Year, therefore the Batta upon the Rupees, as they were received, was calculated, and the Nabob credited for the actual Sum that they realized in the Discharge of the Bond.

Q. As the Treasure was received as the specific Property of the Nabob in Right of his Father, upon what Pretence did you make a Demand for short Weight ?—Did you make any Demand for short Weight ?

A. I have informed your Lordships what the Course of my Proceeding in that was, the Engagement of the Begum to the Nabob was for a specific Sum of Money in a certain Rupee, either Fyzabad or Lucknow; therefore I could only give Credit for what I received according to that Rupee.

Q. How came you to take a Bond for a specific Sum, to be paid according to the Shroffage of the Country, on account of the specific Treasures supposed to be lodged with them, and belonging to the Nabob ?

A. I took what was given to me; the Negotiation or Agreement, or whatever it was, was settled by the Nabob himself; I had nothing to do with it.

Q. Then you declare upon your Oath, that you knew nothing at all of the Transaction concerning this Bond, before it was put into your Hands, though made to yourself ?—Did you or not know any Thing of the settling of the Quota of the Bond, before it was put into your Hands ?

A. In all Probability I did; I was acquainted probably, from Time to Time, of the Progress of the Negotiation; but I cannot be certain that I was.

Q. Recollect and say, whether you are not certain, that you was well acquainted with the previous Negotiation which ended in giving this Bond ?

A. I cannot be certain that I was.

Q. Are you certain you were not ?

A. I have not a perfect Recollection about it, either one way or the other, but it is most likely that I was acquainted with it.

Q. What did you do with the Money which you thus received ?

A. After being shroffed, it was appropriated to the publick Service.—Colonel Muir, who was in the Mahratta Country at that Time with the British Army, was very considerably in Arrears; and, as I understood at the Time, was stopped there for the Want of the Pay of his Troops :—

The First Money that could be realized from this Negotiation was sent to him. There was also a considerable Sum of Money sent to Colonel Morgan, who commanded the British Brigade at Cawnpore, which was also considerably in Arrears. There was also a further Sum sent to Colonel Sir John Cumming, who commanded at Farruckabad, for the Payment of the Arrears due to his Troops.

Q. Did you send it to those Officers as mere Bullion, upon the same Principle on which you received it; or did you send it in any other Manner of Computation?

A. I have no Doubt that some of it was sent exactly in the Manner that I received it; For, as well as I recollect, it was dispatched from Fyzabad almost as soon as it was received.

Q. Was it dispatched, and the Paymasters debited with it, as Money or Bullion?

A. The Rupees consisted of various Sorts; they were debited for the Rupees, with the Batta or Difference upon each specific Rupee, to make it up equal to the Fyzabad Rupee, in which our Accounts were kept.

Q. Who was debited with the Batta?

A. The Rupee was rated in the Account with a Batta upon it.—The specific Rupee was mentioned, and had the Batta ascertained according to an Assay Table, which was lodged at my Office at Lucknow, for a Rule in my Transactions with the Vizier.

Q. Was the Officer debited with the Batta, as well as with the Bullion?

A. I am afraid I have not made myself perfectly understood:—The Mode of the Account was this; first of all, the specific Rupee was stated, so many Rupees of such a Sicca for such a Year; and then the Batta according to the Assay was deducted, or added, and the Net Sum was then carried out into a Column: The Paymaster of the Troops was debited for the Net Sum in Fyzabad Rupees.

Q. Was that Account kept in the same Manner that other Money Transactions, which happened in that Country, were?

A. E: atly.

Q. Whether you paid the Paymaster and Officers of the Army in a particular Species of defective Coin, and then charged them with the Difference?

A. I paid them in such Coin as I was able to get; I would rather have paid them in the best Coin, the Fyzabad Rupee, if I could have got it, because it would have saved me a great deal of Dispute, which I constantly had with the Officers, being obliged to send them Rupees of different Species.

Q. As you charge the Begums with the Difference between that Rupee, and the Rupee of the Year when you received it; Whom did you charge with the Difference when you paid it out?

A. The Nabob.

Q. Whether you did not transmit Part of this Money to Calcutta in Specie?

A. I believe so; but really I do not just now recollect whether it was immediately, or afterwards. I know that the Three Armies, I have mentioned, took a very large Sum of Money, possibly all that was immediately realized, from Fyzabad; but I do not speak with any great Certainty.

Q. Whether, in fact, you did, or did not, send down a Part of this Money to Calcutta in Specie?

A. I really do not remember; but the Accounts upon Record, at the India House, will ascertain that.

Q. Whether you sent any Part of it, in Specie, to Benares?

A. No; certainly not.

Q. When the Shroffage was made, according to the Assay Table, what Means were taken, if any were taken, to prove that it was fairly made, agreeable to that Table, to the Satisfaction of the Begums, who were charged with the Difference?

A. The Process was very simple. The Shroffage was nothing more than to ascertain the particular Species of Rupees: that done, the Batta was already fixed by the Assay Table: so that all the Shroffs had to do was, to ascertain what the particular Species of the Rupees was.

Q. I am asking, not, what Means were taken for satisfying the Shroffs; but, what Means were taken for satisfying the Begums?

A. I have no Doubt the Begums knew very well what Money was paid.—They knew the Species of Rupee that was paid by their Agents.

Q. By what Agents?

A. By the Eunuchs and their Shroffs.

Q. Where were the Eunuchs?

A. In their own House, in Bahar Ali Khan's House.

Q. Where

Q. Where was the Shroffage made?

A. I take it for granted in their House too; they ascertained the Species before they sent them, and sent a List with them; then, of Course, when they were delivered over to me, they were compared with the List, to see that they agreed.

Q. Do you say they were shroffed by Jewar and Bahar Ali Khan, before they were delivered to you?

A. I will not take upon me to say it was the Fact.—I have no Doubt it was.

Q. Why do you suppose it was?

A. I cannot suppose that they, who were employed to pay the Money, would deliver it without taking any Account of it.

Q. Were they not then in Irons?

A. I am pretty certain they were not.

Q. Whether there were any Means taken to produce any Treasury Account, kept by Bahar Ali Khan, to ascertain whether the Money delivered was the Whole of the Nabob's Treasure, or not.—Were there any Accounts produced?

A. Not by me.

Q. Were there by any Body?

A. Not that I know of. I suppose, most likely, the Nabob's Minister would have taken Care of that; but I do not know any Thing of it.

Q. Was all that Money, which you state first to have been shroffed at Fyzabad, afterwards shroffed over again at Lucknow, or some considerable Part of it?

A. All could not; because some of it, as I stated before, a considerable Sum, was dispatched to the Camps from Fyzabad; what was carried to Lucknow, in all Probability, was shroffed again.

Q. Why was it shroffed again?

A. I do not know that it was, but in all Probability it was.

Q. Do you know who was present at the shroffing Operation at Lucknow?

A. The Treasurers, I take it for granted: it was their Business: The Treasurers, no Doubt, were present.

Q. What Treasurers?

A. The Company's Treasurers.

Q. Were you not a Principal Company's Treasurer? Who was the Principal Company's Treasurer?

A. The Principal Treasurer was the Agent of Gopaul Dofs.

Q. Were you not yourself the Principal Treasurer?

A. As far as being Resident, and having a Controul over the Treasury, most certainly; but the Management of the whole Business of the Treasury was in the Hands of the Natives.

Q. Whether you was not, by your Office, Receiver of the Company's Assignments?

A. No Doubt, I was.

Q. Whether, when you received the Money originally, you received it on the Shroffage of Bahar and Jewar Ali Khan, or whether you had it shroffed yourself?

A. I certainly could not, I conceive, have received it upon the Shroffage of Bahar and Jewar Ali Cawn without examining that their Shroffage was just. I never heard any Complaint that my Shroffage did not agree with theirs. I have no Doubt it did agree.

Q. Did any Body shroff it at Fyzabad for you?

A. The Treasurers were there.

Q. What Treasurers?

A. I believe Gopaul Dofs's Agents.

Q. So the Whole of this Money was paid to Gopaul Dofs's Agents?

A. It is difficult for me to understand.

Q. Was the Money received from Jewar and Bahar Ali Khan, as the Nabob's Rights assigned over to you, delivered immediately to Gopaul Dofs, or his Agents?

A. Certainly it was: they were his Agents, and to them it was delivered; there were more than one Agent, there were Five or Six.

Q. Do you recollect the Names of any of them, besides Gopaul Dofs?

A. I cannot at this Moment recollect the Names of any of them.

Q. Were there not considerable Effects and Jewels sent, as Part of the Payment, to Lucknow?

A. A

A. A considerable Time afterwards, there were some Jewels, and Gold, and Effects of that Sort, sent to Lucknow.

Q. How were they disposed of?

A. They were sold on the Begum's Account.

Q. By whom?

A. By the Company's Treasurer, under the Direction of the Nabob's Minister; and at the same Time with the Concurrence of the Agents of the Begums themselves, sent from Fyzabad, accompanying those Effects.

Q. Had the Resident no Controul, Superintendence, or Inspection, over the Sale?

A. I hardly know whether I can say, I had the Controul, or had not.—When these Effects arrived at Lucknow, the Course observed was, to get the principal Merchants of the Place, such as should be approved by the Nabob's Minister, and the Begum's own Agent, to appraise those Effects.—They were so appraised, and sold according to that Appraisement.

Q. Where were they sold?

A. At Lucknow.

Q. To whom?

A. I really do not know;—I apprehend to a great Number of Merchants, and other People.

Q. Have you not heard that Complaints were made, that they were sold greatly under their Value?

A. I have, I think, heard Complaints, that they did not realize so much Money as was expected.

Q. Who was present at the Sale?

A. I cannot tell; I apprehend all the Treasurers. The Five or Six I have mentioned were all employed constantly in the Treasury, and I have no Doubt they were present at the Sale.

Q. When the Produce of this Sale was to be applied for the Use of the Company, how comes it that you, the Resident, took no Concern in the Sale, in order that it might produce to the Utmost?

A. I took no further Concern than I have stated: It was the Proposal, I apprehend, of the Begum's own Agents, that they should be sold to the different Merchants of Lucknow. After they were so appraised, they were taken by any Merchants, that chose to purchase at that Appraisement.

Q. (*Cross examined.*) Whether, exclusive of your occasional Interference, so far as related to Tunkaws, and Assignments upon the Revenue, the ordinary Administration of the civil Affairs of Oude, did not rest with the Nabob and his Ministers?

A. Certainly it did.

Q. Whether several of the Natives had not larger Farms, and more independant Authority, in the Province of Oude, than the Resident would have allowed them, if it had rested with him to have regulated that Matter?

A. I have stated before, that I certainly would, if I had had the Power, have prevented many People having large Emoluments, which they did get, and which I thought them unworthy of: One, in particular, I would mention to your Lordships, under the Name of an Orderly, who had no less a Collection than Forty Lacks of Rupees per Annum under his Charge—between Thirty and Forty—nearly Forty Lacks per Annum, under his Charge.

Q. Who was that?

A. His Name was Bowanee Sing; One of those Persons that had been raised from a menial Situation to a Rajah, upon the Nabob's Accession to the Government.

Q. Did you make any Attempt to remove that Rajah from that Situation?

A. I have made many.

Q. And failed?

A. Yes, failed; as I did in every other Instance relative to that Class of People.

Q. Whether you ever attempted to controul, or in Fact did controul, the Nabob, either in the Number, Selection, or Pay, of his Household Establishment?

A. No, I did not.

Q. Did you ever, or in any Manner, interfere with, attempt to controul, or, in fact, controul, the Nabob in his private Expences?

A. No; certainly not.

Q. What Sum was appropriated for the Nabob's private Expences, or Establishment, in virtue of the Treaty of Chunar?

A. I cannot exactly recollect; but Mr. Hastings's Instructions will, I believe, ascertain that Point.

Q. Did it not, in One Year, amount to Forty-nine Lacks, for his private Purse, including an Allowance for the Reduction of the Jaghire?

A. I cannot recollect exactly; I wish to refer to the Paper itself.

Q. What were the Charges upon that Fund, that was set apart for the Nabob's particular Expences?

A. I apprehend, for all his Household; his civil Expences; and some Part of his Military.

Q. Whether the Sum, which was so set apart for the personal Expences of the Vizier, if properly administered, was not sufficient to sustain him according to his Rank?

A. That is a good deal Matter of Opinion; it is a large Sum certainly, and I apprehend it might.

Q. Would it sustain the Establishment, in such Manner as it had been sustained from the Death of Sujah ul Dowlah?

A. I apprehend it would.

Q. Do you know upon what Subjects, besides his Table and Dress, and his Establishment of Horses, this Sum was expended?

A. There were a Variety of Expences—the Expences of his Zenana were very considerable.

Q. What might the Amount of that Expence be?

A. I do not know.

Q. What Number of Servants had he about his Person?

A. It is impossible to ascertain with any Accuracy; he had a very considerable Retinue of servants, certainly.

Q. Whereabouts was the Number?

A. It is a difficult Question to answer.

Q. Two or Three hundred, or Two or Three thousand?

A. Two or Three thousand, I have no doubt, of different Descriptions.

Q. Do you know the Number of his Horses, or the Number of his Elephants; or do you know any of the Articles of Expence?

A. Not accurately—he had a thousand Elephants, and perhaps twice as many Horses.

Q. What must be the annual Expences of the Establishment you have now described, of a thousand Elephants?

A. I cannot tell.

Q. Would they amount to a Lack of Rupees?

A. They must be more than that, for I recollect one Elephant had a Jaghire of Twelve thousand Rupees a Year.

Q. Whether you recollect with any Certainty, that the regular Cavalry, usually retained by the Nabob, amounted to Two thousand?

A. That was the Establishment; it consisted of Two Regiments, that had originally been in the British Service, and upon some Reform had been dismissed from the Company's Service, upon which the present Nabob's Father took them into his Pay. The Establishment consists of Two Regiments of 1,000 Men each.

Q. Was this Body of Cavalry in general well clothed and well appointed?

A. I cannot say that they were so well clothed and appointed, or any Thing like it, as the Troops in the Company's Service; but they were armed and clothed after the European Manner.

Q. Were they as well clothed and appointed as the Troops of other Native Princes in general?

A. Better than the Troops of any other Native Prince that I ever saw.

Q. Was the Whole of the Nabob's Cavalry collected, or ordered to attend him, when he went to Chunar; the 2,000 Cavalry?

A. The whole 2,000 were with him. I believe he seldom travelled any where without them.

Q. Had he any more Cavalry besides the 2,000?

A. Yes; he had.

Q. What was the Number of them?

A. I cannot say; they were coming in every Day from the Country about, according to his Orders. He had a very large Establishment with him upon his Arrival at Chunar.

Q. Were they all with him at that Point where he turned off in the Road to Lucknow, to go to Fyzabad?

A. The

A. The Two Regiments were with him, to the best of my Recollection, and some others of his Cavalry. I believe a large Body of his Cavalry were left behind at Chunar, to assist in carrying on the War against Cheit Sing; the others were sent back, I believe, to their different Stations.

Q. Do you mean that any of the regular Cavalry were left behind to assist in the War against Cheit Sing?

A. None, I believe.

Q. Then the whole regular Cavalry attended him to the Point of Separation, when he changed his Route to go to Fyzabad?

A. To the best of my Recollection they did, and accompanied him to Fyzabad.

Q. How far from Fyzabad was that Point of Separation?

A. I do not recollect the Place where he did turn off.

Q. Was it as far from Fyzabad, as Lucknow is from Fyzabad?

A. I should apprehend not near the Distance.

Q. Whether the Nabob had any Bearers stationed on the Road to Fyzabad, to enable him to travel with greater Expedition from that Point of the Road where the Separation was?

A. I have no Knowledge of any, nor do I believe there were any.

Q. If there were no Bearers stationed, what should hinder the regular Cavalry that were with the Nabob from getting to Fyzabad as soon as he?

A. I apprehend they did get to Fyzabad as soon as he did; that they attended his Person, and accompanied him through the Road to Fyzabad.

Q. Have you any Doubt about that Fact?

A. I have none.

Q. What was the particular Situation of Captain Edwards about the Person of the Nabob?

A. He was the Nabob's Aid de Camp.

Q. To whose Patronage did he owe his Appointment; who recommended him to the Nabob?

A. I cannot immediately say; I rather——

Q. Do you know whether it was not Mr. Hastings?

A. I really do not know; I have heard it was Sir Elijah Impey, but I cannot say.

Q. Do you not know, that some ineffectual Applications were made by the Nabob to Mr. Hastings, to have Captain Edwards sent up the Country to him, which were resisted by Mr. Hastings?

A. I do not.

Q. Whether there was any Drought of any considerable Magnitude in the Province of Oude, or its Dependencies, in 1779, 1780, 1781, or 1782?

A. In 1779 there was a very severe one.

Q. Whether you conceive it was owing to natural Causes, or to the bad Administration of the Nabob's Ministers?

A. I mean the Failure of the Periodical Rains.

Q. Would that affect the Cultivation of the Country in a very considerable Degree?

A. No doubt it would.

Q. Was the impoverished State of the Country, in 1779 or 1780, occasioned by that natural Cause, in any, and what Degree?

A. In a considerable Degree, certainly; but I refer it also to other Causes; by which I mean the Mismanagement of the Nabob's Government.

Q. In what respect?

A. The Appointment of improper People to the Trusts, such as I have mentioned; and in general, a Supineness in the Nabob's Government.

Q. Whether you do not recollect to have mentioned, in a Letter to Mr. Hastings, dated the 28th of December 1781, the heavy Remissions the Nabob had been obliged to allow on the present Year's Rents, for the Losses by Drought and Hail: (a) Do you remember the Fact of writing such a Letter?

A. I do not at this Time.

Q. Do you recollect a Drought happening in the Years 1780 or 1781?

A. I was not in the Country in 1780 or 1781. I beg leave to correct myself; in 1781 I certainly was.

Q. Whether you ever transmitted to Mr. Hastings any Complaints against Colonel Hannay, while he remained in Command in the Country of Oude ?

A. I do not recollect that I did : I believe not.

Q. What was the general Estimation and Character of Colonel Hannay, when he was first employed in that Command ?

A. I believe he bore a very good Character ; I have always understood so.

Q. Whether the Countries of Baraitch and Goruckpore were not always, prior to the Time of Colonel Hannay, in the Hands of several refractory Zemindars, who scarcely acknowledged the Authority of the Nabob ?

A. The Country of Goruckpore does fall particularly under that Description ; I do not think that Baraitch does.

Q. Whether the Employment of a Military Force in those Countries, was not absolutely necessary, as well for the Purposes of enforcing the Civil Government, as for the Collection of the Revenues ?

A. In Goruckpore certainly. The District of Baraitch bordered upon it, but was in a very different Situation from what Goruckpore was. Goruckpore was bounded by the Mountains ; it is a very rough uncultivated Country, and I believe generally, as long as I can remember any Thing about it, was very much subject to Disorders, to Rebellions among the Zemindars, and People of the Country.

Q. Whether the Bamboo Cages were not usual Places of Confinement in the Country of Oude ?

A. I confess I never heard of the Bamboo Cages till I heard it at this Bar.

Q. Do you know whether that Sort of Imprisonment is in frequent Use in the Country ?

A. I never heard of such a Mode of Imprisonment : But of Prisons most certainly ; the Prisons I have heard generally of, in the Country, were Mud Forts, where the Prisoners were kept.

Q. Whether from the Description you have now heard of these Bamboo Cages, such a species of Confinement is more lenient, or more severe, than Confinement in Mud Forts ?

A. I should apprehend they must be much the same. I cannot in my own Mind make much Distinction.

Q. Whether you do not believe, that the Begums were always particularly jealous, and adverse to the British Influence, in the Affairs of Oude ?

A. I have heard that they were : I cannot assert it of my own Knowledge ; I have no Fact that can lead me to give a positive Answer to that Question. I certainly have heard that they were.

Q. Do you not, of your own Knowledge, know that the Jealousy of the Begums, or either of them, was much inflamed towards us by the Cession of Benares in 1775 ?

A. I have no positive Knowledge of it.

Q. Do you know, or believe, that the Begums were disaffected ? Do you know any Thing of the Conduct of the Begums in 1775, upon the Cession of Benares ?

A. No, I do not.

Q. Whether you do, or do not, believe that the Begums were disaffected to the British Interest in 1780 or 1781 ?

A. In 1781 I certainly did believe them so.

Q. Are you still of the same Opinion, that they were hostile to the British Interest ?

A. Most undoubtedly I am.

Q. Whether, in keeping your private Letter Book, you did, or did not, usually insert in it the Inclosures contained in the Letters you received ?

A. It was not my Use.

Q. Whether, if you have looked at your Letter Book lately, you do not know that there occur several Instances, Twenty or Thirty at least, in your Letter Book A. ? Have you looked at your Letter Book A lately ?

A. Yes, I have.

Q. And have you observed that there are such Omissions ?

A. I do observe Marginal Notes referring to Inclosures, which Inclosures are not in the Book.

Q. Have you observed any Instances where Inclosures are inserted ?

A. In looking over the Book, I have not observed any Inclosures ; probably there might be Inclosures, but I observed a great Number of marginal Notes of Inclosures, which are not in the Book. All I can venture to say is, that it was not the usual Custom to insert Inclosures in that Book.

Q. Whether

Q. Whether you ever had any Communication with Mr. Hastings, directly or indirectly, respecting your Letter Books, prior to your Disclosure of them at the Bar of the House of Commons?

A. No; most certainly not.

Q. Whether you had any Communication, directly or indirectly, with Mr. Hastings respecting this Book, prior to your Examination at this Bar?

A. No.

Q. Do you recollect with Certainty, whether the Originals of the Letters written by Colonel Hannay and Captain Gordon to the Begums, or Originals accompanied with Copies, were delivered to you by Major Gilpin?

A. I have before informed your Lordships, that to the best of my Memory, only the original Letters themselves were delivered to me by Major Gilpin. I have no Reason to alter that Belief; I have Reason to think, and I am confirmed in my Belief, that only the original Letters were delivered to me by Major Gilpin.

Q. Whether it was the Usage of your Office to transmit to Calcutta all the Letters you received at Lucknow, or only such of them as you conceived to be important to the Transactions you were managing for the Company?

A. It certainly was not the Practice of the Office during my Residence there; and I believe it will be found it was not the Practice of my Predecessor, or of my Successor.

Q. Whether you do not know that the Begum, the Mother of the Nabob, used, at the Time he paid her Visits, to express particular Dissatisfaction to him, on account of his Connexion with the English?

A. It is impossible for me to say on what Account it was—The Elder Begum generally did express great Dislike to the Nabob, and by Marks that were very uncommon; but I cannot pretend to say that it was on account of his Connexion with the English, nor have I any Reason to think it was.

Q. What were the Marks of Dissatisfaction?

A. The Nabob stood in very great Awe of the Elder Begum; and I do not know that he ever went to see her without insisting upon my accompanying him; he used to leave me in the outer Apartment, while he himself went in to the inner Apartment to visit the Elder Begum; and I have been told (with what Truth I do not know) that as soon as he retired from the Apartment where he met the Elder Begum, it was her Practice to throw away the Musnud on which he sat, as a Mark of her Dislike or Contempt; but what her Motives were for it, I cannot say.—Will your Lordships give me Leave, before I go from the Bar, to correct Two other small Mistakes in my Evidence. In my Examination at your Lordships Bar, I was asked particularly as to a Letter from Captain Macdonald; the Impression that was upon my Mind at that Time was, that the Letter had been sent to me at Chunar; but, upon looking into Mr. Hastings's Narrative, I find the Letter was inclosed by Mr. Barnet, the Jew I spoke of before, in a Letter to Mr. Hastings himself;—I wish to correct that Part of my Evidence which says, it was sent to me personally; I am clear it was sent to Mr. Hastings, and it is mentioned as an Inclosure in Mr. Barnet's Letter. There is another Mistake, upon a long Examination, respecting the Part I had in the Affidavits, taken before Sir Elijah Impey at Lucknow. I mentioned that, to the Best of my Recollection and Belief, I never had any Communication with any Person but Colonel Hannay, or took any Measures with any Person but Colonel Hannay; but, on looking at my Correspondence, I do find a Letter from myself to Mr. Shee at Furrackabad, written at the same Time, requesting him to furnish me with any Information that might have come to his Knowledge respecting the Insurrection at Benares. The Letter to him is dated 14th of November; his Answer is the 18th of the same Month. If your Lordships will give Leave, I should wish that to be altered.

Q. You have stated, that you ordered the Women of the Zenana to be kept confined and guarded. Since these Orders came from you, and not from the Nabob, was it not your Duty likewise to give Directions that the Women in the Zenana and Khourd Mahl should be supplied with Necessaries?

A. I apprehend it is not exactly as it is stated; I do not recollect that there was any Order for confining the Women in the Khourd Mahl.

Q. Were there any Orders for confining the Women in any Place?

A. I do not recollect that there were.

Q. You have said in your Examination, Page 604, in Answer to a good many Questions, that you took the Originals of the Treaty of Chunar with you to Lucknow, for which Place you set out the Day after the Treaty was executed, and that Mr. Hastings had no Copy of that Treaty, till you, at some Distance of Time, sent him down a Copy by a Dawk, or common Messenger; and at a further Period you sent him, by Colonel Hannay, the Original; that is the Effect of the Evidence?

A. It is.

Q. Do you wish, upon Recollection, to correct that Evidence?

A. I believe the Evidence is correct; but I was inaccurate in one Part, respecting the Chunar Treaty. I mentioned having carried them both to Lucknow. I am very clear, that the Part that the Governor General himself signed was delivered to the Nabob at Chunar, the same, or the very next Day: As in a Letter from Mr. Auriol, Secretary to the Council at Calcutta, written by Direction of the Council, I was applied to for that Part of that Treaty; upon that I was induced to enquire where the Treaty was, and then I saw it in the Nabob's Possession. I cannot be certain as to the Time when it was delivered to him; but I apprehend it was at Chunar, or the next Day, and my Answer to Mr. Auriol is dated the 16th of September, where I mention having seen it in the Nabob's Possession.

Q. Then, from the Inspection of that Letter of Mr. Auriol, you think you have made one Mistake in that Account?

A. Yes. I do.

Q. You seem to be mistaken, for the Effect of your Evidence is, that you took the Treaties with you. Both Parts, according to your Evidence, were taken from Chunar to Lucknow; and the first Account Mr. Hastings received was a Copy sent by you afterwards by a Dawk. You were asked, How long was it before you sent Mr. Hastings a Copy of that Treaty? You said, your Letter upon that Subject would ascertain the Date; that you first sent him Copies of the Treaties, and afterwards the Originals. Now, there is a Letter from Mr. Hastings on the 23d of September 1781, which is only Three Days after you left Chunar, in which it is stated thus: "having on the 19th instant entered into certain Engagements with the Nabob Vizeer, tending to relieve his Finances of a Burthen they were no longer able to sustain, with sundry other Clauses, the Execution of which is intrusted to you, I herewith inclose an authentic Copy of the same, for your Guidance. The Nabob, on his Behalf, has subscribed and sealed an Agreement in your Presence, and in the Presence of Mr. Richard Johnson and Hyder Beg Khan, respecting the better Administration of his Affairs; of which I also transmit you an authentic Copy." (a) Now, consistently with this Letter, it is impossible that your Account can be correct?

A. That Letter was written and delivered to me, or I apprehend so, at the Time of signing the Treaty: It is my Instructions from Mr. Hastings upon the Treaty.

Q. Attend to this Circumstance. The Treaty was signed upon the 19th of October: You left Chunar upon the 20th; it might be a prior Date to the 20th, but could not be of a Date Three Days after the 20th?

A. That Letter, I am pretty certain, was delivered to me when I left Chunar. It is possible there may have been a Mistake in the Date of it, or in the Date of the Treaty; but I am very positive that Letter was delivered to me with the Treaty itself.

Q. Do you wish that should stand as a Solution between the Letter and the Evidence, that this Letter was delivered to you at the Time the Treaty was signed?

A. I am clear it was delivered to me at the Time of the Treaty, and I cannot pretend to say whether the Letter or the Treaty is misdated.

The Witness was directed to withdraw.

The Managers for the Commons acquainted the House, they here closed the Evidence upon the Second Article of Charge.

Then the House adjourned to the Chamber of Parliament.

(a) Vide supra, Page 146.

Die Martis, 3^o Junij 1788.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

Then Mr. Sheridan was heard to sum up the Evidence, in Part, upon the Second Article of Charge.

Then the House adjourned to the Chamber of Parliament.

Die Martis, 21^o Aprilis 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

Mr. Burke was heard, to open in Part the Sixth Article of Charge.

Then the House adjourned to the Chamber of Parliament.

Die Sabbati, 25^o Aprilis 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

Mr. Burke was further heard, to open in Part the Sixth Article of Charge.

Then the House adjourned to the Chamber of Parliament.

Die Martis, 5^o Maii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

Mr. Burke was further heard, to open in Part the Sixth Article of Charge.

Then the House adjourned to the Chamber of Parliament.

Die Jovis, 7^o Maii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

Mr. Burke was further heard to open in Part the Sixth Article of Charge; and having finished, the Managers for the Commons desired Leave to withdraw for a short Time.

The Managers for the Commons being returned informed the House they were ready immediately to open the Remainder of the Sixth Article of Charge, and afterwards to call Evidence upon the Whole of it, or to proceed directly to the Proof of that Part which they had already opened, and having concluded that Head, to open and to give Evidence in Support of the Remainder of the said Sixth Article, as the House should think proper; but, if the House had no Objection, they themselves preferred the latter Mode of Proceeding.

The Counsel for the Defendant were asked, if they had any Objection to the Managers for the Commons proceeding in the Method last mentioned.

The Counsel for the Defendant made Answer, they had not, provided the same Indulgence was allowed them in the Conduct of the Defence.

The Managers for the Commons protested, that they had a Right to enlarge upon the Articles at any Period, without the Consent of the Party accused.

Then Mr. ROBERT HUDSON was called in, and produced Book 195, intituled, "Bengal Letters, received 30th Sept. 1765, to 10th April 1767."

Read, the following Extract of a general Letter from the President and Council at Calcutta, in Bengal, to the Select Committee of the Honourable the Court of Directors, dated 30th Sept. 1765.

"Honourable Sirs,

"1. The accompanying Proceedings of the Select Committee will explain our Motives for purchasing the Admiral Stevens to convey to your Hands these Dispatches, which we hope will be deemed of sufficient Importance to merit any extraordinary Expence thereby incurred, an Expence which we flatter ourselves will be fully defrayed by the valuable Cargo she carries home at this early Season.

"2. By the General Letter of this Date you will be informed by the President and Council of every material Concern that has been transacted before the Board. At the same Time we beg Leave to refer to the Letters dispatched by the Vansittart and Bute (whereof Duplicates are now enclosed) for a Detail of the Military Operations, Political Occurrences, and especially the very important Transactions previous to our Arrival, and subsequent to the Death of Meer Jaffier: An Event that furnished the most glorious Opportunity of establishing your Influence and Power on so solid a Basis as must soon have rendered the English East India Company the most potent Commercial Body that ever flourished at any Period of Time.

"3. It is from a due Sense of the Regard we owe and profess to your Interests and to our own Honour, that we think it indispensably necessary to lay open to your View a Series of Transactions too notoriously known to be suppressed, and too affecting to your Interest, to the national Character, and to the Existence of the Company in Bengal, to escape unnoticed and uncensured. Transactions which seem to demonstrate, that every Spring of this Government was smeared with Corruption, that Principles of Rapacity and Oppression universally prevailed, and that every Spark of Sentiment and publick Spirit was lost and extinguished in the unbounded Lust of unmerited Wealth.

"4. To illustrate these Positions we must exhibit to your View a most unpleasing Variety of Complaints, Inquiries, Accusations, and Vindications, the Particulars of which are entered in our Proceedings, and the Appendix; assuring you, that we undertake this Task with peculiar Reluctance, from the personal Regard we entertain for some of the Gentlemen whose Characters will appear to be deeply affected.

"5. At Fort St. George we received the First Advices of the Demise of Meer Jaffier, and of Shuja Dowlah's Defeat. It was there firmly imagined that no definitive Measures would be taken, either

either in respect to a Peace, or filling the Vacancy in the Nizamat, before our Arrival; as the Lapwing arrived in the Month of January with your general Letter, and the Appointment of a Committee with express Powers to that Purpose; for the successful Exertion of which, the happiest Occasion now offered. However, a contrary Resolution prevailed in the Council. The Opportunity of acquiring immense Fortunes was too inviting to be neglected, and the Temptation too powerful to be resisted. A Treaty was hastily drawn up by the Board, or rather transcribed, with few unimportant Additions, from that concluded with Meer Jaffer; and a Deputation, consisting of Messrs. Johnstone senior, Middleton, and Leycester, appointed to raise the Natural Son of the deceased Nabob to the Subahdary, in prejudice of the Claim of the Grandson: And for this Measure such Reasons are assigned as ought to have dictated a diametrically opposite Resolution. Miran's Son was a Minor, which Circumstance alone would have naturally brought the whole Administration into our Hands at a Juncture when it became indispensably necessary we should realize that Shadow of Power and Influence, which having no solid Foundation was exposed to the Danger of being annihilated by the First Stroke of adverse Fortune. But this Inconsistence was not regarded; nor was it material to the Views for precipitating the Treaty, which was pressed on the young Nabob at the First Interview, in so earnest and indelicate a Manner, as highly disgusted him and chagrined his Ministers; while not a Single Rupee was stipulated for the Company, whose Interests were sacrificed that their Servants might revel in the Spoils of a Treasury before impoverished, but now totally exhausted.

" 6. This Scene of Corruption was first disclosed, at a Visit the Nabob was paid, to Lord Clive and the Gentlemen of the Committee a few Days after our Arrival. He there delivered to his Lordship a Letter filled with bitter Complaints of the Insults and Indignities he had been exposed to, and the Embezzlement of near 20 Lacks of Rupees issued from his Treasury for Purposes unknown during the late Negotiations. So public a Complaint could not be disregarded, and it soon produced an Enquiry. We referred the Letter to the Board, in Expectation of obtaining a satisfactory Account of the Application of this Money, and were answered only by a warm Remonstrance entered by Mr. Leycester against that very Nabob in whose Elevation he boasts of having been a principal Agent.

" 7. Mahomed Reza Cawn, the Naib Subah, was then called upon to account for this large Disbursement from the Treasury; and he soon delivered to the Committee the very extraordinary Narrative entered in our Proceedings the 6th of June, wherein he specifies the several Names and Sums, by whom paid, and to whom, whether in Cash, Bills, or Obligations. So precise, so accurate an Account as this of Money for secret and venal Services, was never, we believe, before this Period exhibited to the Honourable Court of Directors, at least never vouched by such undeniable Testimony and authentic Documents: By Juggut Seet, who himself was obliged to contribute largely to the Sums demanded; by Moolyram, who was employed by Mr. Johnstone in all those pecuniary Transactions; by the Nabob and Mahomed Reza Cawn, who were the heaviest Sufferers; and, lastly, by the Confession of the Gentlemen themselves, whose Names are specified in the Distribution List.

" 8. Juggut Seet expressly declared in his Narrative, that the Sum which he agreed to pay the Deputation, amounting to 125,000 Rupees, was extorted by Menaces; and since the Close of our Enquiry, and the Opinions we delivered in the Proceedings of the 21st June, it fully appears, that the Presents from the Nabob and Mahomed Reza Cawn, exceeding the immense Sum of 17 Lacks, were not the voluntary Offerings of Gratitude, but Contributions levied on the Weakness of the Government, and violently exacted from the dependant State and timid Disposition of the Minister. The Charge indeed is denied on the one Hand, as well as affirmed on the other. Your Honourable Board must therefore determine, how far the Circumstance of Extortion may aggravate the Crime of Disobedience to your positive Orders; the exposing the Government in a Manner to Sale, and receiving the infamous Wages of Corruption from opposite Parties and contending Interests. We speak with Boldness, because we speak from Conviction, founded upon undoubted Facts, that besides the above Sums specified in the Distribution Account, to the Amount of * 2,28,125 Pounds Sterling, there was likewise to the Value of several Lacks of Rupees procured from Nundcomar and Roydullub, each of whom aspired at and obtained a Promise of that very Employment it was predetermined to bestow on Mahomed Reza Cawn. * See in Orig.

" (Signed at the End)

Clive,
W^m B. Sumner,
John Carnac,
H. Veilft,
Fra^s Sykes." (a)

To prove the Means proposed to prevent the Abuses complained of; the Witnesses produced,

Book 182, intituled, "Bengal General Consultations, from 6th January to the 30th December 1766."

Read, the following Extracts of a Consultation of the 22d September 1766, beginning at P. 733, of the same Book.

"Fort William, the 22d September 1766;

"At a Consultation; Present,
The Right Honourable Lord Clive, President;

John Carnac,
Harry Verelst,
Randolph Marriott,
Hugh Watts,
Claud Russell,
William Alderfey,
Thomas Kelfall, and
Charles Floyer,

} Esquires.

Mr. Sumner indisposed.

ceedings:
he Select
nmittee of
19th Sept.
before
Board.

"The Proceedings of the Select Committee of the 19th instant are now laid before the Board, as follows.

Read also, a further Extract from the same Book, and same Consultation, beginning at Page 735 of the same.

"The Right Honourable the President has urged the Necessity of restricting the future Governors of this Presidency, in Points of Trade and private Interest, with Arguments of so much Force and Conviction, in the following Minute, that we unanimously agree in recommending his Lordship's Proposal to the Board, that it may be carried into Execution with all convenient Dispatch.

"Alexander Campbell,
S. S. C.

"Lord Clive's Minute delivered in Committee, September 19th 1766.

"Our Attention, as a Select Committee invested with extraordinary Powers by the Court of Directors, has been constantly engaged in reforming the Abuses which had crept into the several Departments of this Government. The important Work has been steadily prosecuted with Zeal, Diligence, and Disinterestedness on our Parts; and the Success of our Labours gives us Reason to hope that our Employers will be of Opinion we have established many useful and necessary Regulations. Many others however are still wanting to complete our Plan; but I doubt not that the same Principles, which have hitherto guided our Conduct, will continue to direct and to justify the Measures we have yet to pursue.

in Orig.

"To place the President in such a Situation as will render his Government completely honourable to himself, and advantageous to the Company, appears to me an Object of as much Consequence as any that has been taken into our Consideration. To here such immense Revenues are concerned where Power and Authority are so enlarged, and where the Eye of Justice and Equity should be ever watchful, a Governor ought not to be embarrassed with private Business; he ought to be free from every Occupation in which his Judgment can possibly be biassed by his Interest. The extensive commercial Affairs, the Study of the Finances, the Politics of the Country, the Epistolary Correspondence, the Proceedings of Council and Committee, these are sufficient to employ every Moment of his Time, and I am confident that they cannot be conducted with the requisite Attention to the Company's Interest, if the Mind of the Governor be diverted by complicated mercantile Accounts of his own.

"If we look back upon those unhappy Dissentions which have frequently brought the Company's Possessions in Bengal almost to the Point of Destruction, we shall find that they have generally proceeded from the Conduct of Governors, who, too eager in Pursuit of private Interest, have involved themselves in Affairs which could not be reconciled to the strict Principles of Integrity. To prevent Scrutinies and Discoveries which might in any Degree affect their Honour, they have frequently been reduced to the Necessity of conniving at Abuses which would otherwise have been brought to light, and remedied. The Welfare of this great Company should be the sole Study of a Governor; attached to that Point alone, his Measures could never be thwarted by the Malice of Opposition, because they would all be proposed for the Publick Good; and Actions will always be justified or condemned from the Principles on which they are founded.

"Such a State of Independency and Honour must be highly eligible to a Governor; and in my Opinion, it can only be acquired by cutting off all Possibility of his benefiting himself either by Trade or by that Influence which his Power necessarily gives him in these opulent Provinces.

"I therefore propose, that the Governor shall, in the most public Manner, in the Presence of all the Company's Servants, the Mayor and Aldermen, and free Merchants, assembled at the Mayor's Court, take the Oath and execute the Penalty Bond hereunto annexed. The Consideration

deration I have proposed, is One and One Eighth per Cent. upon the Revenues collected, excepting those arising from the Company's own Lands at Calcutta, Burdwan, Midnapore, and Chittagong.

"Although by these Means a Governor will not be able to amass a Fortune of a Million or Half a Million in the Space of Two or Three Years, yet he will acquire a very handsome Independency, and be in that very Situation which a Man of nice Honour, and true Zeal for the Service, would wish to possess: Thus situated, he may defy all Opposition in Council; he will have nothing to ask, nothing to propose, but what he means for the Advantage of his Employers; he may defy the Law, because these * can be no Foundation for a Bill of Discovery, and he may defy the Obloquy of the World, because these † can be nothing censurable in his Conduct. In short, if Stability can be insured to such a Government as this, where Riches have been acquired in Abundance, in a small Space of Time, by all Ways and Means, and by Men with or without Capacities, it must be effected by a Governor thus restricted; and I shall think it an Honour, if my Proposal be approved, to set the First Example." (a)

* Sic in Orig.

† Sic in Orig.

Read also, further Extract from the same Book and the same Consultation, beginning at Page 739 of the same.

"And I do most solemnly swear, that I will not upon any Account or Pretence whatever, directly or indirectly, accept, take, or receive, nor knowingly, wittingly, or willingly suffer or permit to be accepted or received by any Person or Persons in Trust for me, my Executors or Administrators, or for any other Person or Persons whatever, out of personal Friendship to them, or received to my own Interest, directly or indirectly, any Jewels, Effects, Sum or Sums of Money, whether by Bonds, Bills, Notes † Obligations, or otherwise, or accept of, retain or keep, any Fee, Gratuity, or Reward in Jewels, Effects, Money, or Obligations, or Promises, or Assurances of Money in Writing of any Nature, or other Thing whatsoever, which has been heretofore deposited for Services promised to be perperced *, or Favours to be received, or which shall hereafter be deposited, lent, received, or paid into my Hands or Custody, or to any other Persons in Trust for me, nor knowingly permit or suffer any other Person or Persons to receive, take, or accept of the same, or any Part thereof, by my Authority or Influence, from any King, Prince, Vizir, Monsubdar, Nabob, Dewan, Phouzdar, Jimidar, or from any other Person or Persons, natural-born Subjects of the East Indies, China, Persia, or Mocha, of what Degree, Nomination, or Quality soever, or from any Servant or Agent, or Council of any King, Prince, Vizir, Monsubdar, Nabob, Dewan, Phouzdar, or Jimidar, exceeding the Value or Amount specified in our Covenants with the said United Company: The full Intent and Meaning of this Oath being, and I do most solemnly swear, that my full and true Intent and Meaning is, that in Consideration of the Sum of One and One Eighth per Cent. upon the Revenues of Bengal, Bahar, and Orixia, (save and except the Revenues of the Lands of the said United Company at Calcutta, Burdwan, Midnapore, and Chittagong), to be paid to me in monthly, quarterly, or yearly Payments, during the Time I shall continue to be President and Governor of Fort William; and likewise in Consideration of my Salary, stated Allowances, and Commission upon the Mint Coral, and upon the Freight Goods, and Ten per Cent. Interest or Premium upon any Sum or Sums of Money † shall or may hereafter lend, advance, or place out at Interest, as before mentioned, no other Emolument or Advantage whatsoever shall in any wise howsoever, directly or indirectly, arise or accrue unto me, my Heirs, Executors, or Administrators, or to any other Person, through Favour or Friendship from me, either from my Office, or for or by Reason or Means of the Influence and Authority I may have as President and Governor of Fort William.

† Sic in Orig.

* Sic in Orig.

† Sic in Orig.

"I further swear, that I will not myself receive, or knowingly permit any other Person to receive any Fee, Gratuity or Advantage * them, from the Disposal of any Place, Employment, or Office to any European, or any other Person whatever in or out of the Company's Service; and that I will not in any Manner break through, or act in any respect, during the Time I shall continue to be President and Governor of Fort William, contrary to any Article, Covenant, Clause, Promise, and Agreement contained in, or the true Intent and Meaning of a certain Indenture, bearing Date this First Day of October One thousand seven hundred and sixty-six, and made, or mentioned to be made, between the said United Company of the One Part, and me, Robert Lord Clive, on the other Part, but that I will truly and faithfully perform the same.

* Sic in Orig.

So help me GOD."

"Sworn in open Court at Fort William in Bengal, this First Day of October, in the Sixth Year of the Reign of King George the Third." (b)

Read also, further Extract from the same Book and same Consultation, beginning at Page 743 of the same.

"And the said Robert Lord Clive doth hereby further covenant and agree, that he shall not, nor will, upon any Account or Pretence whatsoever, directly or indirectly, accept, take, or

(a) Vide Appendix, N° LXXXIX.

(b) Vide Appendix, *ibid.*

receive, nor knowingly, wittingly, or willingly suffer or permit to be accepted, taken or received, by any Person or Persons, for his Use, or in Trust for him, his Heirs, Executors, and Administrators, or for any other Person or Persons whatsoever, out of personal Friendship to them, or Regard to his own Interest, directly or indirectly, any Jewels, Effects, Sum or Sums of Money, whether by Bonds, Bills, Notes, Obligations, or otherwise; or accept of, retain, or keep, any Fee, Gratuity, or Reward, in Jewels, Effects, Money, Obligations, or Promises or Assurances of Money in Writing of any Nature, or other Thing whatsoever, which has been heretofore deposited, for Services promised to be performed, or Favours to be received, or which shall hereafter be deposited, lent, received, or paid into his Hands or Custody, or into the Hands or Custody of any other Person or Persons in Trust for him, nor knowingly permit or suffer any other Person or Persons to receive, take, or accept of the same, or any Part thereof, by his Authority or Influence, from any King, Prince, Vizir, Monsubdar, Nabob, Dewan, Phouzdar, Jimidar, or from any other Person or Persons natural born Subjects of the East Indies, China, Persia, or Mokka, of what Degree, Nomination, or Quality soever, or from any Servant, Agent, or Council of any King, Prince, Vizir, Monsubdar, Nabob, Dewan, Fouzdar, or Jemidar, exceeding the Value or Amount specified in the Covenants with the said United Company: And the said Robert Lord Clive doth further covenant and agree, that no other Emolument or Advantage whatsoever (excepting as herein excepted), shall in my* w howsoever directly or indirectly arise or accrue unto him, his Heirs, Executors, or Administrators, or to any other Person whatever, through Favour or Friendship, either from his Office, or for or by Reason or Means of the Influence of Authority he may have as President and Governor, nor with he the said Robert Lord Clive receive, or knowingly permit any other Person to receive any Fee, Gratuity, or Advantage, from the Disposal of any Place, Employment, or Office, to any European, or any other Person whatever, in or out of the Company's Service." (a)

* Sic in Orig.

To prove that Lord Clive did take the Oath, and enter into the Covenant before-mentioned,

Read, from Book 195, already delivered in, the following Extract of a General Letter from the President and Council at Calcutta in Bengal, dated Fort William, 5th and 9th December 1766.

" We are to observe, that our President Lord Clive has himself set the First Example of that Moderation, which he requires in future Governors of this Settlement, his Lordship having on the 1st Day of October taken the restrictive Oath, and executed the Penalty Bond in the Manner prescribed.

" Signed (at the End of the Letter)

Clive,
H. Verelst,
John Carnac." (a)

To prove that Messrs. Verelst and Cartier, when they succeeded to the Government of Fort William, respectively took the Oath, and entered into the Covenant before-mentioned, the Witnesses produced Book 201, intituled, " Bengal General Consultations, from 3d January to 31st December 1767."

Read, the following Extract from a Consultation of the 29th January 1767, beginning at Page 73 of the same Book.

Thursday the
29th Jan. 1767.

" At a Council; Present,
The Honourable Harry Verelst Esquire, President;
Richard Smith,
Francis Sykes,
Claud Ruffell,
William Aldersey, } Esquires.
Thomas Kelsall,
Charles Floyer,
Alexander Campbell, }

Mr. Verelst
succeeds to the
Government
on the Departure
of Lord
Clive for Eng-
land, and takes
his Seat ac-
cordingly.

" The Book of Standing Orders lying on the Table.

" The Right Honourable Lord Clive having since our last Meeting embarked on Board the Britannia for England, and Mr. Verelst received from him the Charge of the Government, the latter now takes his Seat accordingly as President of the Council, after having the Oath of Office administered to him.

The Witnesses next produced Book 200, intituled, " Public Consultations for the Year 1769."

(a) Vide Appendix, N° LXXXIX.

(b) Vide Appendix, N° XC.

Read,

Read, the following Extract of a Consultation of the 26th December 1769.

“ Fort William, the 26th December 1769.

“ At a Consultation; Present,
The Honourable John Cartier Esquire, President, and Governor,
Claud Russell,
Charles Floyer, } Esquires.
Francis Hare,
Joseph Jekyll, }

“ The Book of Standing Orders lying upon the Table.

“ The Honourable Mr. Verelst having resigned the Government, on the 24th instant, is succeeded by the Honourable Mr. Cartier, who now assumes the Chair, after the President's Oath having been duly administered to him.

Mr. Cartier assumes the Chair, and takes the President's Oath.

To shew that it did not appear upon the Records of the East India Company, that Mr. Hastings took any Oath when he succeeded to the Government of Bengal, Mr. Robert Hudson was examined, as follows :

Q. Have you searched the Records of the Company ?

A. I have searched the Minutes at the Time when Mr. Hastings entered into the Government of Bengal, and it does not appear that he took any Oath.

Q. (*Cross examined.*) What Search have you made for the Purpose of discovering whether Mr. Hastings took an Oath or not ?

A. I have searched the Consultations in all the Departments about that Time.

Q. Are they entire during that Period ?

A. They appear quite entire.

The Managers for the Commons stated, they would next read the Covenant entered into by Mr. Hastings when he succeeded to the Government of Bengal.

The Witness accordingly produced a Paper signed “ W. Hastings.”

The Counsel for the Defendant objected, that in point of Regularity the Managers for the Commons ought to prove the Execution of the said Instrument by Mr. Hastings.

The Witness was asked,

Q. Where are the Covenants kept which the Servants of the Company enter into ?

A. This appears to be an original Covenant.

Q. That Paper which you produce, where do you bring it from ?

A. From the India House.

Q. Does it appear to be signed by any Body ?

A. It is signed “ Warren Hastings.”

Q. Is it in his own Hand-writing ?

A. It appears to be in the same Hand as all the General Letters are signed.

Q. Are the Covenants preserved in the India House which the Servants sign, or are they kept abroad ?

A. They are kept in the India House.

Q. You understand that to be the original Covenant ?

A. Yes, my Lords.

The Counsel for the Defendant acquainted the House, that Mr. Hastings, upon Inspection, acknowledged the Signature to be his Hand-writing.

The Paper was read, as follows :

“ THIS Indenture, made the Tenth Day of February in the Ninth Year of the Reign of Our Sovereign Lord George the Third, by the Grace of God King of Great Britain, France, and Ireland, Defender of the Faith, and so forth, and in the Year of our Lord One thousand seven hundred and sixty-nine, between Warren Hastings of London, Merchant, of the One Part, and the United Company of Merchants of England trading to the East Indies, of the other Part. Whereas the said Warren Hastings is now employed in the Service of the said United Company, as One of their Council and covenanted Servants at their Chief Settlement of Fort Saint George on the Coast of Coromandel in the East Indies: Now this Indenture witnesseth, and the said Warren Hastings,

Hastings, In Compliance with a Resolution of a General Court of the said United Company, and for and in Consideration of what he is or shall be entitled to receive from the said Company in respect of his said Service, or in respect of any other Station, Capacity, or Employment, in which the said Warren Hastings may hereafter be retained or employed by the said United Company, or their Court of Directors, doth hereby, for himself, his Heirs, Executors and Administrators, covenant, promise, and agree, to and with the said United Company, that he the said Warren Hastings shall not nor will, at any Time or Times hereafter, during his being employed in the said Company's Service in any Station or Capacity whatsoever, either by himself, or by any other Person or Persons whomsoever in Trust for him, or for his Use, directly or indirectly, accept, take, or receive, or agree to accept, take, or receive, any Gift or Grant of Lands or Rents, or Revenues issuing out of Lands, or any Territorial Possession, Jurisdiction, Dominion, Power, or Authority whatsoever, from any of the Indian Princes, Sovereigns, Subahs, or Nabobs, or any of their Ministers, Servants, or Agents, for any Service or Services, or upon any Account or Pretence whatsoever, without the Licence or Consent of the Court of Directors for the Time being of the said United Company, signified under their Hands; nor shall or will, at any Time or Times hereafter, during his being employed in the said United Company's Service in any Station or Capacity whatsoever, either by himself, or any other Person or Persons whomsoever in Trust for him, or for his Use, directly or indirectly, accept, take, or receive, or agree to accept, take, or receive, any Gift, Reward, Gratuity, Allowance, Donation, or Compensation, in Money, Effects, Jewels, or otherwise howsoever, from any of the Indian Princes, Sovereigns, Subahs, or Nabobs, or any of their Ministers, Servants, or Agents, exceeding the Value of Four thousand Rupees, for any Service or Services performed, or to be performed, by the said Warren Hastings in India, or upon any other Account or Pretence whatsoever, without the like Licence or Consent of the said Court of Directors of the said United Company, signified as aforesaid; nor any such Reward, Gratuity, Allowance, Donation, or Compensation, exceeding the Value of One thousand Rupees, and under the Value of Four thousand Rupees, without the Licence or Consent of the President and Council for the Time being of the Presidency or Settlement where the said Warren Hastings shall be employed; and that he the said Warren Hastings shall and will convey, assign, and make over, to the said United Company, for their sole and proper Use and Benefit, all and every such Gifts or Grants of Lands or Rents, or Revenues issuing out of Lands, or any such Territorial Possession, Jurisdiction, Dominion, Power, or Authority whatsoever; and also account for and pay to the said United Company, for their sole and proper Use and Benefit, all and every such Gifts, Rewards, Gratuities, Allowances, Donations, or Compensations whatsoever, which, contrary to the true Intent and Meaning of these Presents, shall come to the Hands, Possession, or Power, of the said Warren Hastings, or any other Person or Persons in Trust for him, or for his Use, as aforesaid. In witness whereof, to One Part of this Indenture, the said Warren Hastings hath set his Hand and Seal; and to the other Part thereof, the said United Company have caused their Common Seal to be affixed, the Day and Year above written.

" Sealed and delivered (being first duly stamped)
in the Presence of

" Warren Hastings. (L. S.)"

R^d Holt,
Tho^r Pike."

Indorsed,

" I do acknowledge to have read the within mentioned Covenants
before I executed the same.

Witness,
R^d Holt."

" Warren Hastings."

Then the Witnesses was asked,

Q. (*By Counsel.*) Do you know, upon the Inspection of the Journals, whether Mr. Verelst and Mr. Cartier took the same Oath Lord Clive did?

A. It does not appear what Oath Mr. Cartier and Mr. Verelst took; it appears only that they took what they call the Oath of Office.

Then the Witnesses produced another Paper signed " Warren Hastings."

The Witnesses was asked,

Q. Is that also an Original Instrument?

A. Yes, my Lord.

The same was read, as follows :

" THIS Indenture, made the _____ Day of _____ in the Year of our Lord One thousand seven hundred and seventy-two, and in the Twelfth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, between the United Company of Merchants of England trading to the East Indies, of the One Part; and Warren Hastings, of the other Part. Whereas the said United Company

Company of Merchants of England trading to the East Indies, have (upon the special Request and Entreaty of the said Warren Hastings, and upon the Conditions and Agreements herein-after contained, on the Part of the said Warren Hastings to be performed) received and entertained him the said Warren Hastings into their Service, as their

to serve them for the Term of _____ Years, and to be employed in all or any of the Traffick or Merchandizes, Busineses, and Affairs, in any Place or Places whatsoever, between the Cape of Good Hope, and the Streights of Magellan, as the said Company, or their Court of Directors for the Time being, or any Thirteen or more of them, or any by them authorized, shall appoint, at and for the Wages or Sum of _____ Pounds of lawful Money of Great Britain, by the Year, to commence from the Time of _____

Now this Indenture witnesseth, That the said Warren Hastings, for himself, his Heirs, Executors, and Administrators, doth hereby covenant and agree, to and with the said United Company of Merchants of England, trading to the East Indies, and their Successors, in Manner and Form following (that is to say) That he the said Warren Hastings, for and during, and unto the full End and Expiration of _____ Years, shall and will faithfully, honestly, diligently, and carefully serve the said Company at such Place and Places, and in all and every such Affairs and Business whatsoever of the said Company, as the said Warren Hastings shall be employed in. And shall also from Time to Time, and at all Times, observe, keep, and fulfil all and every the Orders of the said Company, and of the said Court of Directors made and to be made for the Government of their Factories and Settlements, Officers, Agents, or Servants abroad: And shall and will also observe, keep, and fulfil all such Orders, Instructions and Directions, which he shall herewith, or hereafter receive under the Seal of the said Company, or from the said Court of Directors of the said Company for the Time being, or any Thirteen or more of them, or from their President and Council, at the respective Settlement where the said Warren Hastings shall reside or be employed, or from any Persons authorized thereunto by such Directors; and shall and will, to the utmost of his Power and Skill, resist and withstand all and every such Person or Persons, as shall break, or endeavour to break the said Orders, Instructions, or Directions, or any of them: And the said Warren Hastings doth hereby for himself, his Heirs, Executors, and Administrators, covenant and agree, to and with the said United Company of Merchants of England trading to the East Indies, that he will not do, attempt, or practise, nor shall wittingly or willingly permit or suffer any other Person or Persons whatsoever, to do, attempt, or practise any Matter or Thing whatsoever, to the Hindrance, Hurt, Prejudice, Damage, or defrauding of the said Company, or their Successors, or of their Servants, or any of them, or of the said Company's Goods, Merchandizes, Trade, or Traffick, or any of them, or any Part thereof; but shall, as much as in him lieth, prevent and defeat the same. And the said Warren Hastings doth hereby, for himself, his Heirs, Executors, and Administrators, covenant and agree, to and with the said United Company of Merchants of England trading to the East Indies, that he the said Warren Hastings shall and will, from Time to Time, and at all Times from henceforth, give Notice and Intelligence, with all convenient Speed, unto the said Court of Directors for the Time being, of all and every the Deceits, Wrongs, Abuses, Breach of Orders, Inconveniences and Hindrances, which he the said Warren Hastings shall know, understand, hear or suspect to be done, practised, offered, or intended against the said Company, or their Successors, or their Goods or Trade, or any of them, or against any Person or Persons by them, or by the said Court of Directors employed, or in their Service, in any Place or Places, together with the Names of those Persons by whom the same shall be so offered, practised, or intended. And the said Warren Hastings doth hereby, for himself, his Heirs, Executors, and Administrators, covenant, promise, and agree, to and with the said United Company of Merchants of England trading to the East Indies, that he will not engage, or employ the Stock of the said Company, or any Part thereof, or make use of the Credit of the said Company, in any other Kind, Way or Manner howsoever, than for the Affairs of the said Company, and as by the major Part of the Court of Directors of the said Company for the Time being, under their Hands, or under the Common Seal of the said Company, or by their said President and Council, shall be ordered and directed. And that he the said Warren Hastings shall and will, at all Times, keep and conceal the said Company's Secrets, and every Matter and Thing committed to him as such by the said Court of Directors, or their Agents, Factors, Officers, and Servants, or any of them. And also, that he the said Warren Hastings shall and will, from Time to Time, and at all Times from henceforth, during his said Employment, keep, or cause to be kept, a true and particular Journal or Day Book, of all Passages and Proceedings relating to the Affairs of the said Company, and also Books of Accounts, in which Journal, Day Book, and Books of Accounts, he shall daily, duly, truly and fully enter, or cause to be entered, the Accounts of all and every particular Buying, Selling, Receipts, Payments, Barterings, and all other Transactions and Occurrences relating to his Trust, during the Time he shall continue in the said United Company's Service and Employment: And the said

doth hereby, for himself, his Heirs, Executors, and Administrators, covenant, promise, and agree, to and with the said United Company, that he will not place, or consent to the placing to the said Company's Account, nor otherwise charge the said Company with any more or greater Sums than he shall really, and in good Faith, pay for all or any Goods, Merchandizes or Effects,

which he shall buy, or cause, procure, or consent to be bought, for, or on Account of the said Company. And that he the said Warren Hastings shall and will bring to the Account of the said Company, in the Books of the said Company, the full Rates and Prices for which he shall sell, or cause to be sold, any of the said Company's Goods, Merchandizes, or Effects; and further, that he the said Warren Hastings will not directly or indirectly, take, accept, or receive, or agree to take, accept, or receive, any Gift, Reward, Gratuity, Allowance, Compensation, Sum or Sums of Money whatsoever, from any Person or Persons, of whom he the said Warren Hastings shall, by himself, or any Agent for him, buy or barter any Goods, Merchandizes, Treasure, or Effects, for, or upon Account of the said Company. And further, that he will not take, accept, or receive, or agree to take, accept, or receive any Gift, Reward, Gratuity, Allowance, Compensation, Sum or Sums of Money whatsoever, from any Person or Persons to whom the said Warren Hastings shall, by himself, or any Agent for him, sell or barter any Goods, Merchandizes, Treasure, or Effects, of or belonging to, or for, or upon Account of the said Company; and moreover, that he the said Warren Hastings, his Executors or Administrators, shall produce and deliver the said Books, together with all Waste Books, Pocket Books, Diaries, Memorials, and other Writings and Papers whatsoever, wherein he the said Warren Hastings shall make, or cause to be made, any Entries, or set down any Matter or Thing touching or concerning the said Company's Affairs, or any of them, or any way relating thereunto (although the same may or shall be intermixed with his own, or others Concerns) unto the said Court of Directors of the said Company for the Time being, or to such Person or Persons as shall, by Letter or Order, under the Hands of Thirteen or more of the said Court of Directors, or under the Seal of the said Company, be authorized and appointed to demand and receive the same; and shall and will, if required, make Oath to the Truth of such Books, Diaries, Memorials, Writings, and Papers, and that the same contain the Whole of his Transactions, and that they have not been defaced, obliterated, or altered. And further, That he the said Warren Hastings shall and will, well and truly deliver and pay unto the said United Company, or their Successors, all and every such Monies, Goods, Merchandizes, and Things whatsoever, as by the Foot of his Account, or otherwise shall be due from him, or remain in his Hands and Possession, and for which he ought to be chargeable or answerable in any manner or wise. And also, That he the said Warren Hastings shall and will (before he shall leave the said Company's Factories or Settlements) pay and discharge all and every such Sum or Sums of Money as he shall justly owe or be indebted to any of the Black Merchants or Natives of the Country, where he the said Warren Hastings shall be, together with such other Sums as he shall owe abroad to any other Merchants or Persons not being Subjects of his Majesty the King of Great Britain, or his Successors; and that he the said Warren Hastings shall and will, from Time to Time, when and as often as he shall be thereunto required by the said Company, or their Successors, or by the President, Agent, or Chief and Council of the Place where the said Warren Hastings shall be, remove to any such other Factories, as such President, Agent, or Chief and Council, shall so direct and require. And also, That he the said Warren Hastings shall, at all Times, during the Time of his Service aforesaid, faithfully and diligently demean himself as a good, honest and faithful Servant towards the said Company, and their Successors, and those by them authorized. And upon Condition, That the said Warren Hastings shall in all Things perform his Covenants and Agreements with the said Company herein contained, and to encourage him so to do, It is further covenanted and agreed by and between the said Parties to these Presents, That it shall and may be lawful to and for the said Warren Hastings, and the said Company doth accordingly license the said Warren Hastings, during the said Years, commencing as aforesaid, freely to trade and traffick for his own Account only, from Port to Port in India, or elsewhere within the Limits aforesaid, but not to or from any Place without the same, without any Lett, Hindrance, or Interruption, from them the said Company, their Successors or Assigns, so as the said Trade and Traffick so to be carried on and driven in India, or elsewhere within the Limits aforesaid, or any Part thereof, be subject to such Rules, Regulations, and Limitations, as the said Company, or the Court of Directors for the Time being of the said Company, have already directed, or shall from Time to Time hereafter direct and appoint, and be not to the Hurt or Prejudice of the said Company, and their Successors, or of their Trade or Commerce; and so as whatever is so traded for by the said Warren Hastings by Virtue of this Agreement be particularly entered in Books of the said Company, to be kept for that Purpose in all the Factories of the said Company respectively, in the East Indies, or elsewhere within the Limits aforesaid, where such Trade shall be driven; but in case the said Warren Hastings shall waste, or make use of the said Company's Treasure, or shall become indebted to the said Company, then, and in such case, it is hereby further covenanted and agreed, by and between the said Parties to these Presents, that he the said Warren Hastings shall not be entitled to any of the Payments, Advantages, and Benefits, hereby otherwise intended him: But contrarywise, for and towards Satisfaction for what shall be due from him to the said Company, and for and towards Reparation of the Damages done to the said Company, it shall and may be lawful to and for any Person or Persons thereunto authorized and appointed, by Writing under the Hands of Thirteen or more of the Court of Directors of the said Company for the Time being, or under the Seal of the said Company, and to and for any President, Agent,

Agent, or Chief, and Council, of any Place or Factory, of or belonging to the said Company, to seize, or cause the Goods and Chattels of him the said Warren Hastings, to be seized and detained, until Satisfaction is made. And forasmuch as Complaints have been made to the said United Company, that several of the said Company's Presidents and Chiefs of their Factories, and several of such Persons as are of their Councils, in their Factories abroad, or some of them, as also their Factors, Agents and Servants, have committed very heinous and grievous Offences in such Factories of the said Company, and elsewhere in the East Indies, and other Places within the said Company's Limits of Trade, by unjustly menacing, imprisoning, assaulting, abusing, and evil-treating the Natives and Black Merchants, and others with whom the said Company have had Dealings or Correspondence, and by such Means and other Violences, Abuses, and Injuries, have extorted and forced great Sums of Money, and other valuable Effects, from such injured Persons, who by reason of the great Distance from this Kingdom, and the wholesome Laws thereof, and by Reason that the said Company have not been enabled to obtain and render Satisfaction for such Injuries and Misdemeanors, are, and have been remediless: Now it is hereby agreed by and between the said Parties to these Presents, and the said Warren Hastings doth hereby, for himself, his Heirs, Executors, and Administrators, covenant and agree, to and with the said United Company, that in case any Sum or Sums of Money, Goods, or Chattels whatsoever, shall at any Time or Times hereafter, be extorted, forced, or taken, by him the said Warren Hastings (either separately or jointly with others) from any Person or Persons whatsoever, within the said Company's Limits of Trade, by the Means or Use of Imprisonments, Assaults, Violences, Menaces, or other Force or Compulsion whatsoever, then and as often as any such Offence or Offences shall be committed, it shall and may be lawful to and for every Person or Persons injured thereby, to make and send over Complaints and Attestations thereof in Writing to the Court of Directors of the said Company for the Time being, and that upon the Receipt of such Complaints and Attestations, it shall and may be lawful, to and for the Court of Directors of the said Company for the Time being, to enquire into the Truth of the said Complaints, by all such Ways and Means as they shall think just and equitable, and thereupon to hear the Matter of the said Complaint or Complaints, and thereupon finally to judge and determine the same, and to award Satisfaction and Reparation to be made by the said Warren Hastings to the said Company, for the Benefit of such injured Persons. And the said Warren Hastings doth hereby, for himself, his Heirs, Executors, and Administrators, covenant and agree, to and with the said United Company, well and truly to pay to the said Company, at such Time or Times as shall be limited by the said Court of Directors (or the major Part of them) for that Purpose, all and every such Sum and Sums of Money as shall be so awarded by the said Court of Directors for the Time being, or the major Part of them then assembled, to be paid as aforesaid: But in Trust nevertheless, and to the Intent, That the said Company may and do render, and pay over, the Monies received or recovered by them, to the Parties injured or defrauded, which the said Company accordingly hereby agree and covenant to do: And the said Warren Hastings doth furthermore for himself, his Heirs, Executors, and Administrators, covenant and agree, to and with the said United Company, to pay and satisfy to the said Company for their own Use and Benefit all such Damages as they shall have sustained by Reason or Means of any such Offence or Offences as aforesaid: And forasmuch as it frequently happens, That the President and Council, Agent and Council, Chief and Council, and several other subordinate Officers of several of the said Company's Factories abroad, have, by mutual Influences on each other, settled, stated, and adjusted amongst themselves, their own Accounts with the said Company, in order as far as they could, to bar and preclude the said Company from reviewing, altering, amending, correcting, or contesting the same: Now it is hereby further declared, That all and every such Account and Accounts, so at any Time stated, balanced, signed, or adjusted, by, between, or amongst such Presidents and Councils, or Agents and Councils, or Chiefs and Councils, or other subordinate Officers, or any of them, and the said Warren Hastings, are hereby agreed to be, and shall at all Times hereafter be taken and esteemed to be open Accounts, formed and prepared only for the Inspection, Perusal, and Approbation or Correction of the said Company, and shall not in any Sort or Kind, or in any Article thereof, bind or conclude the said Company. And the said Warren Hastings doth for himself, his Heirs, Executors and Administrators, covenant and agree, to and with the said United Company, that he the said Warren Hastings will not at any Time, during his Residence in the East Indies, or within the said Company's Limits, directly or indirectly trade, correspond, traffick, deal with or for, or be in any wise aiding, assisting, or employed as Agent, or Factor, by or for any Foreign Company trading in or to the East Indies, or any Person or Persons whatsoever, who do or shall, during the Continuance of these Presents, traffick, adventure, or trade to, in, or from the East Indies, or elsewhere, within the Limits of the said Company's Trade, by, or under, or by virtue of any Foreign Commission, Licence, or Authority whatsoever, nor shall or will by himself, or in Conjunction with any Person or Persons whatsoever, directly or indirectly carry on, or use or be concerned in any Sort of Trade, Traffick, or Merchandize, either from Europe to the East Indies, or to any Place within the said Company's Limits, between the Cape of Good Hope and the Streights of Magellan, or from the East Indies, or from any Place within the said Company's Limits, to Europe, or to or from any Place whatsoever, although not within the said Company's Limits of Trade, save and except for and on Account of the said Company, nor shall carry on,

use,

use, or be concerned in any Trade or Traffick whatsoever, but such as is expressly allowed by and according to the true Intent and Meaning of these Presents. And that he the said Warren Hastings, his Executors, or Administrators, shall and will pay, or cause to be paid, unto the said Company, as and by way of stated Damages, double the Value of all and every the Goods and Merchandizes, traded for, bartered, by the said Warren Hastings, his Agent or Agents, contrary to the true Meaning of these Presents. Provided nevertheless, That if the said Warren Hastings shall first voluntarily and freely make a Discovery unto the said Company's Court of Directors, of any Trade or Traffick carried on by him or his Agents, contrary to the true Meaning of these Presents, and of all and every the Persons therein concerned, then, and in such Case, the said Company do hereby agree to accept the single Value, instead of the double Value of the said Goods and Merchandizes, which shall be traded with, in, for, or bartered or trafficked for, contrary to the true Meaning of these Presents, as aforesaid: And in order to a Discovery of, and a Satisfaction for such illicit Trade, as aforesaid, it is hereby agreed, that it shall and may be lawful to and for the said United Company, and their Successors, to file any Bill or Bills of Complaint or Discovery, in His Majesty's High Court of Chancery, or Court of Exchequer, against him the said Warren Hastings, his Executors and Administrators, whereunto the said Warren Hastings doth hereby agree, that neither he nor they shall or will demur, or plead in Bar of the Discovery or Relief sought by such Bill or Bills, that thereby he or they is, are, may or shall become liable to any Penalty or Forfeiture, by force of any Law or Statute, Bond, Covenant or Agreement, or otherwise howsoever, but shall make and put in a full and perfect Answer and Answers to all the Parts thereof, and shall not, in such Answer and Answers, insist upon any Penalty, Forfeiture, Law or Statute, Bond, Covenant or Agreement, or alledge any Matter whatsoever, whereby to prevent, bar, or preclude the said Company from the Discovery or Relief sought or to be sought by such Bill or Bills as aforesaid; but then, and in such Case, the said United Company do hereby consent to wave and disclaim all and all Manner of Penalties and Forfeitures, that shall or may, in any Kind or Degree whatsoever, accrue or incur to them, upon or by reason of any Discovery or Disclosure arising by the said Answer or Answers of the said Warren Hastings, his Executors or Administrators; and the said United Company, for themselves and their Successors, do agree to accept, and the said Warren Hastings doth, for himself, his Heirs, Executors, and Administrators, agree to account for, and pay or cause to be paid to, or to the Use of the said Company, or their Successors, as and for a full, stated, and adjusted Compensation and Satisfaction for the Damages sustained by the said Company, upon Account of the said illicit Trade, the Sum of Fifty Pounds for every One hundred Pounds Value of all and every the Goods and Merchandizes traded or trafficked with, or for, contrary to the true Intent and Meaning hereof, and also of the Produce of the said illicit Trade. Provided always, and it is hereby expressly covenanted, declared, and agreed between the Parties to these Presents, and it is the true Intent and Meaning thereof, that in case the said Warren Hastings shall make Default in any of the Covenants herein before contained, or shall embezzle any of the said Company's Money, Goods, or Effects, or be guilty of any Breach of Trust towards the said Company, or shall be concerned in buying, bartering, selling, or disposing of any Artillery, Ordnance, Musquets, Fire Arms, Ammunition, or Warlike Stores, to or for the Use of any Prince, Nabob, or Country Power in India, or of the Natives there; without the express Licence of the said Company, or their Court of Directors for the Time being, or a Majority of them, or of the said Company's President and Council, at the respective Settlement where such buying, bartering, or selling shall be, or in case the said Warren Hastings shall, at any Time during the Continuance of these Presents, without the like Licence and Authority as aforesaid, hold Correspondence with any Prince, Nabob, or Country Power in India, or any of their Ministers, or shall supply, lend to, or procure for the Use of any Foreign Company trading in or to India, or any Person or Persons trading under the Licence or Authority of such Foreign Company, any Money, at Respondentia, or any other Security, Loan, or Engagement whatsoever; that then, and in each and every of the said Cases, it shall be lawful for the said Company, and their said Court of Directors for the Time being, or the Majority of them, or the President and Council at the respective Settlement, where the said Warren Hastings shall be resident or employed, and they are hereby respectively declared to have full Power and Authority for that Purpose, to suspend, or wholly dismiss the said Warren Hastings from the said Company's Service and Employment; the said Warren Hastings having first had Notice given him of such his Offence or Default, and a reasonable Time allowed him to make his Defence against the same, and having been convicted thereof. And it is hereby further expressly covenanted and agreed, by and between the said Company, and the said Warren Hastings, that in case of such Dismission as aforesaid, or in case the said Warren Hastings shall, during the Continuance of these Presents, be minded to quit or resign the said Company's Service, and such Resignation shall be accepted and agreed to by the said Company or their Court of Directors, or their President and Council at such Settlement, where the said Warren Hastings shall reside or be employed, that then, and in either of the said Cases of Dismission from, or voluntary Resignation of the said Service, it shall not be lawful for the said Warren Hastings to enter into any new or fresh Engagements, or Concerns whatsoever, in the Way of Trade, or Merchandize; but he shall wholly forbear and be prohibited therefrom; but nevertheless, the said Warren Hastings shall in any, or either of the said Cases be at Liberty and have Power and Authority to sell and dispose of his

his Merchandizes and Effects, which he shall have on Hand, or which shall be then fairly and truly belonging to him, and to collect and get in such outstanding Debts as shall be then due and owing to him in Trade or otherwise. And for the more effectually carrying the said last-mentioned Covenant and Agreement into Execution, It is hereby declared to be the true Intent and Meaning of these Presents, and the said Warren Hastings doth hereby covenant, promise, and agree to and with the said United Company, that in case of such Dismission from, or quitting and resigning the said Company's Service and Employment, he the said Warren Hastings shall and will, within One Year after the same shall happen, or by the first Passage that can be obtained after the Expiration of the said One Year, transport himself, together with his Family, to Great Britain, in such Ship employed by the said Company as shall be appointed for that Purpose, by the said Company, or by their Court of Directors, or their President and Council as aforesaid; and shall not, nor will, upon any Account or Pretence whatsoever, stay or continue any longer in the East Indies; and moreover, in case the said Warren Hastings shall make Default in the said last-mentioned Covenant, the said Warren Hastings doth hereby consent and agree with the said United Company, that from and immediately after such Default, it shall and may be lawful for the said Company, or their Court of Directors, or their President and Council at the said Settlement, where the said Warren Hastings shall reside or be, to cause the said Warren Hastings to be apprehended and detained, and to put him and his Family on Board any Ship employed by the said Company, for the Purpose of being transported to Great Britain; so nevertheless, that no unnecessary Delay be sought, nor any fit Occasion or Opportunity lost in so doing. And further, in case of such apprehending, putting on Board, and transporting the said Warren Hastings and his Family, in Manner aforesaid, the said Warren Hastings doth hereby covenant, promise, and agree, to and with the said United Company, that he the said Warren Hastings, his Executors or Administrators, shall not, nor will commence, sue, or prosecute the said Company, or their Court of Directors, or any of their Presidents and Council, Commanders or Officers of any such Ship, or any other Person employed in any of the Matters aforesaid, in or by any Action, Suit, or other Prosecution, civil or criminal, in respect of such apprehending and detaining him the said Warren Hastings, or of putting on Board and transporting him the said Warren Hastings and his Family to Great Britain, in Manner aforesaid; and in case any such Action, Suit, or Prosecution shall be commenced, sued, or prosecuted, for any of the Matters aforesaid, the said Warren Hastings doth hereby covenant and agree, to and with the said Company, that the General Issue may be pleaded, and that this present Indenture, or any other special Matter, may be given in Evidence by any of the Defendants in any such Suit, Action, or Prosecution. Provided always, and lastly, it is hereby covenanted, concluded, and agreed, by and between the said Parties hereto, and it is their true Intent and Meaning, That if the said Warren Hastings shall continue in the said Company's Service after the Expiration of the said Term of Years, that such Continuance shall be upon the same Terms, Conditions, and Agreements as are herein before made and agreed upon, for the said Term of Years; save and except, that if the said Warren Hastings shall rise to any superior Place or Office than what he is hereby employed in or appointed for, that then he the said Warren Hastings, performing the Covenants aforesaid, shall have and receive such Wages as are usually paid to Officers in the like advanced Stations, Places, or Employments. In Witness whereof the said United Company have to one Part of these Indentures set their Common Seal; and the said Warren Hastings hath to the other Part of the said Indentures set his Hand and Seal, the Day and Year first above written.

“ Sealed and delivered (being stamped according to Act of Parliament) in the Presence of us,

Warren Hastings.” (L. S.)

John Stewart.
John Belli.

Indorsed,

“ I do acknowledge to have read the within written Covenants before I executed the same.

Witness,

John Stewart.”

“ Warren Hastings.”

To prove the Means taken to put the Governor General above Temptation, the Witness produced Book 2, intituled “ Bengal Dispatches, 17th May 1766, to 16th March 1768.”

Read, the following Extract of a General Letter from the Court of Directors to the President and Council at Fort William in Bengal, dated the 20th of November 1767, beginning at Page 583 of the same.

112. “ The large Proportion allotted to the Governor in the before mentioned Commission of Two and One Half per Cent. is in Consideration of his relinquishing, and not being concerned in any Trade whatever, even in Articles of Import and Export, and all Presents or other Gratifications

tions, as expressed in the Deed of Renunciation in your Proceedings of the 22d September 1767, which we approve and confirm, and direct that all Governors do execute the like Instrument on their entering into their Office. Our Inducement for annexing so great an Appointment to the Station of President and Governor, is in full Expectation of his giving up his whole Time and Attention to the faithful Discharge of his Duty, and that, being excluded from all Trade himself, he may, and we accordingly depend that he be vigilant in watching and detecting all Abuses committed by others.

“ Hy. Crabb Boulton,
John Stephenson,
J. Creswicke,
G. Colebrooke,
Ja^s. Cockburn,
Ben. Booth,
E. H. Cruttenden,
Geo. Wombwell,
Edw^d. Wheler,
Willm. Snell,
Tho^s. Rous,

Tho^s. Saunders,
Geo. Dudley,
Pere. Cust,
Hen^y. Savage,
Robert Jones,
John Manship,
F. W. Barrington,
Luke Scrafton,
John Roberts,
J. Pardoe.” (a)

To prove that the Abuses in the Company's Service continued to encrease, notwithstanding the Regulations made to prevent them, the Witness produced Book 176, intituled, “Bengal Dispatches, 25th April 1771, to 10th December 1773.”

Read, the following Extract from a General Letter from the Court of Directors to the President and Council at Fort William in Bengal, dated the 7th of April 1773, beginning at Page 512 of the same.

21. “We wish we could refute the Observation, that almost every Attempt made by us and our Administrations at your Presidency for the reforming of Abuses, has rather increased them, and added to the Miseries of the Country, we are anxious to protect and cherish. The Truth of this Observation appears fully in the late Appointment of Supervisors and Chiefs—instituted as they were, to give Relief to the industrious Tenants, to improve and enlarge our Investments, to destroy Monopolies, and retrench Expences, the End has by no Means been answerable to the Institution. Are not the Tenants more than ever oppressed and wretched? Are our Investments improved? Has not the raw Silk and Cocoons been raised upon us 50 per Cent. in Price? We can hardly say what has not been made a Monopoly; and as to the Expences of your Presidency, they are at length settled to a Degree we are no longer able to support. These Facts (for such they are) should have been stated to us as capital Reasons why neither our Orders of 1771, nor indeed any Regulations whatever could be carried into Execution. But, perhaps, as this would have proved too much, it was not suggested to us, for nothing could more plainly indicate a State of Anarchy, and that there was no Government existing in our Servants in Bengal.”

Read also, a further Extract from the same Book and same Letter, beginning at Page 515, as follows.

23. “And therefore, when Oppression pervades the whole Country, when Youths have been suffered with Impunity to exercise Sovereign Jurisdiction over the Natives, and to acquire rapid Fortunes by monopolizing of Commerce, it cannot be a Wonder to us or yourselves that Dadney Merchants do not come forward to contract with the Company, that the Manufactures find their Way through foreign Channels, or that our Investments are at once enormously dear, and of a debased Quality.

24. “It is evident then that the Evils which have been so destructive to us, lie too deep for any partial Plans to reach or correct; it is therefore our Resolution to aim at the Root of those Evils, and we are happy in having Reason to believe that in every just and necessary Regulation we shall meet with the Approbation and Support of the Legislature, who consider the Publick as materially interested in the Company's Prosperity.

25. “In order to effectuate this great End, the first Step must be to restore perfect Obedience and due Subordination to your Administration. Our Governor and Council must re-assume and exercise their delegated Powers upon every just Occasion; punish Delinquents, cherish the meritorious, discountenance that Luxury and Dissipation which, to the Reproach of Government, prevailed in Bengal. Our President, Mr. Hastings, we trust, will set the Example of Temperance, Economy, and Application; and upon this, we are sensible, much will depend. And here we take Occasion to indulge the Pleasure we have in acknowledging Mr. Hastings's Services upon the Coast of Choromandel, in constructing, with equal Labour and Ability, the Plan which

has so much improved our Investments there; and as we are persuaded he will persevere in the same laudable Pursuit through every Branch of our Affairs in Bengal, he, in return, may depend on the steady Support and Favour of his Employers.

26. "Your Settlement being thus put into a Train of Reform (without which indeed all Regulations will prove ineffectual), you are next to revert to the old System, when the Business of your Presidency was principally performed by our own Servants, who then had Knowledge of our Offices with the Factors and Writers upon your Establishment; for with our present Appointments we are assured there will be sufficient for this Purpose; and thus you will banish Idleness, and its Attendants, Extravagance and Dissipation. And here we enjoin you to transmit to us a faithful and minute State of the Pay, and every known Emolument of all below Council; for as it is notorious that even Youths in our Service expend in Equipage, Servants, Drets, and Living, infinitely more than our stated Allowances can afford, we cannot but be anxious to discover the Means by which they are enabled to proceed in this Manner; and indeed so obnoxious is this Conduct to us, and so injurious in its Consequences, that we expect and require you to shew your Displeasure to all such as shall transgress in this respect, contrasting it at the same Time with Instances of Kindness towards the sober, frugal, and industrious."

Read also, a further Extract from the same Book and same Letter, beginning at Page 522 of the same, as follows:

28. "Having, as we conceive, fully investigated the Causes of the Failure of our Investments in Goodness, Price, and Quantity, and, much to our Concern, proved also, that almost every Stream has been polluted, we now arm you with our full Powers, to make a complete Reformation. The Task we are sensible will be arduous; but we rely on your Zeal for the Service of the Company; and as we have the Satisfaction to assure ourselves, that you will not misuse the Powers we have delegated to you, we hesitate not to promise you our entire Support and Protection.

"Signed (at the End of the Letter)

J. Hurlock,	L. Sullivan,
George Tatem,	Ja. Cockburn,
Edw ^d Wheler,	J ^o Michie,
Tho ^s Rumbold,	Henry Fletcher,
J. Manship,	Pet. Lascelles,
Joshua Smith,	Th ^s Dethick,
H ^y Crabb Boulton,	Cha ^s Bodd."

The Managers for the Commons next stated the 24th Section of Stat. 13 Geo. III. c. 63.

To prove the Instructions given by the Court of Directors to their Governor General and Council in consequence of the above-mentioned Statute, the Witness produced Book 58, intituled, "Bengal Dispatches, 7th January 1774, to 15th December 1775."

Read, from Page 65 of the same Book, the following Extract of Instructions, from the Court of Directors of the United Company of Merchants of England trading to the East Indies, to Warren Hastings Esquire, Governor General, Lieutenant General John Clavering, the Honourable George Monson, Richard Barwell Esquire, and Philip Francis Esquire, Counsellors constituted and appointed the Governor General and Council of the said United Company's Presidency of Fort William, in Bengal, by an Act of Parliament passed in the last Session, intituled, "An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe."

"Signed	Edward Wheler,	Joseph Sparkes,
	John Harrison,	Pet. Lascelles,
	J ^o Woodhouse,	Ch ^s Boddam,
	Samuel Peach,	John Michie,
	Fred ^k Pigou,	Cha ^s Chambers junior,
	Daniel Weir,	R ^d Hall,
	W ^m James,	John Smith,
	T. B. Rous,	George Tatem."
	George Cuming,	

Par. 31. "We direct, that you duly pay to the Governor General, to each of the Council, to the Chief Justice, and to each of the Judges, the several Salaries established by the said Act, observing, at the same Time, that those ample Salaries given to them by Parliament, are to be

in lieu of all Fees of Office, Perquisites, Emoluments, or Advantages whatsoever, and therefore that we are not to be at any further Expence on their Account; and as the Officers of the Court are to be allowed such Salaries as shall be approved by the Governor General and Council, we recommend the strictest Frugality in that Respect, and direct that no greater Allowances be made to any of them than their respective Stations shall require.

Par. 32. " But, in consideration of our Respect for Warren Hastings Esq. we direct that he continue to enjoy our principal House, together with the Plate and Furniture both in Town and Country."

Read also, further Extract from the same Book, and same Instructions, beginning at Page 67, as follows.

Par. 35. " We direct that you immediately cause the strictest Enquiry to be made into all Oppressions which may have been committed either against the Natives or Europeans, and into all Abuses that may have prevailed in the Collection of the Revenues, or any Part of the Civil Government of the Presidency, and that you communicate to us all Information which you may be able to learn relative thereto, or to any Dissipation or Embezzlement of the Company's Money." (a)

Then the House adjourned to the Chamber of Parliament.

(a) Vide Appendix, N° XCII.

Die Martis, 12^o Maii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons stated, that previous to the last Piece of Evidence produced, namely, the Instructions sent out by the Court of Directors to Mr. Hastings, enjoining him to abstain from the Receipt of Presents, they wished to have read a Letter from Mr. Hastings to the Court of Directors, dated the 11th Nov. 1773, in which Mr. Hastings expresses himself satisfied with the Regulations which set him out of the Reach of all Temptations; but that they had not been able to find it: There was, however, an Abstract Book kept in the India House of all Letters received, by which they offered to prove the Existence of that Letter; that there was also a Copy of it in the Report of the Secret Committee of the House of Commons, which, though they could not prove, upon Oath, to have been compared with the Original, and attested to be a true Copy, they submitted, under all the Circumstances of the Case, was admissible Evidence.

The Counsel for the Defendant objected, that the printed Reports of the House of Commons were not Evidence of the Contents of any Instruments with which they have not been specifically compared.

The House asked the Managers for the Commons, whether the Report was printed from the Original Letter, or from a Copy of it? And informed them, that it would be necessary for them to prove, first, that such a Letter did exist; next, that no Original Letter was to be found; and lastly, that the Paper produced was a Copy of the Original; till when, a Copy could not be given in Evidence.

Then Mr. ROBERT HUDSON was called in; and asked,

Q. Have you made a Search in the Records of the India House for a Letter of the 11th of November 1773?

A. I have.

Q. And you found no such Letter?

A. I do not find it.

Q. Whether there is not an Abstract Book kept at the India House of all Letters received?

A. There is an Abstract Book of Letters received in general—and an Article is entered in it, purporting to be an Abstract of a Letter from Mr. Hastings of the 11th November 1773.

Q. (*By a Lord.*) Have you that Abstract Book?

A. I have.

Q. (*By Counsel.*) Who made that Abstract?

A. I do not know. I know the Hand-writing.

Q. (*By a Lord.*) Who keeps the Book?

A. It is a Book kept in the Office for the Purpose of entering the Abstracts of Letters received from Bengal.

Q. (*By a Lord.*) In whose Hand-writing?

A. It appears to be the Hand-writing of a Clerk in the India House.

The Managers for the Commons stated, that as the Clerk was not attending, they would postpone the Consideration of this Point for the present.

To prove Mr. Hastings's own Sense of the Act of Parliament, the Witness produced Book 178, intituled, "Copy of the complete Book of Correspondence delivered in to the Board by Colonel Alexander Champion, with his Address of the * February, * sic in Orig. recorded in Consultation the 9th February 1775."

Read, a Letter from the Board at Fort William to Colonel Champion, dated 29th August 1774, beginning at Page 243 of the same Book.

" Sir,

" The honourable the President and Select Committee, having thought proper to refer to our Consideration your Letter to the President of the 8th instant, with Copy of the Vizier's inclosed, informing him of a Donation of Seven Lacks of Rupees granted by the Vizier to the Army in actual Service under your Command, by his Obligation payable in Six Months, we have chosen to avoid any Discussion on the Propriety of this Measure, as we find ourselves precluded from a Decision upon it by an express Clause in the late Act of Parliament, transmitted us by the Honourable the Court of Directors, which prohibits the Servants of the Company, Civil or Military, from receiving any Presents upon any Pretence whatsoever. For your better Information we send you inclosed a Copy of the said Clause, which will doubtless appear to you a sufficient Reason for us to refuse our Assent to the Acceptance of this Gift.

" We are with esteem,

Sir,

" Fort William, the 29th Aug. 1774.

Your most obedient humble Servants,

(Signed)

Warren Hastings,
W^m. Aldersey,
P. M. Dacres,
James Laurell,
J. Graham,
N. Grueber."

" Rec^d Sept. 22^d.

Read, also, from the same Book, the following Letter from Mr. Hastings to Colonel Champion, dated Fort William, 31st August 1774, beginning at Page 248 of the same Book.

[" Dear Sir,

" I received your Favour of the 8th instant on the 27th, as I was on the Point of dispatching Letters which I had already written and closed to the Vizier, the Resident, and you on the Subject of the Vizier's Intentions communicated to me by Mr. Nath. Middleton, to reward the Services of the Brigade in the Manner in which your Letter informs me he has since carried into Execution. Your Letter placing the Subject in a new Point of View, determined me to suspend my Dispatches until I had taken the Sense of the Members of the Committee upon their Contents. By their Advice I now forward to you the Letter which I had before prepared; and I am authorised by Messrs. Aldersey and Dacres to declare that they concur with me in the Sentiments therein expressed. Your Letter I have laid before them in Select Committee, and it was agreed to refer it to the Council at large, as we did not think ourselves, as a Committee, authorised to give our Assent to the Donation, the Mode of it not being strictly conformable to the past Resolutions of the Board, nor, considered in respect to the Time, to the Order of the Court of Directors: It was accordingly referred, and the Board readily consented to give their Sanction to the Vizier's Donation, and to empower the Troops to receive it. But they could not help disapproving of the Manner in which this Transaction had been conducted, for the following Reasons:—Because it was more the Appearance of a Stipulation made for future Services, than a Return of Gratitude for past; because, by the Declaration of the Vizier, which provides against a Refusal on my Part, and by your own Publication of his Intention to the Army, notwithstanding the Reserve admitted of the Sanction of Government, the Government is in Effect precluded from deciding upon it; and because in both these Points of View, the Donation is repugnant to the Sense of the Court of Directors in the Order above alluded to. In this Manner the Board had formed their Determination; but it did not then occur to us to consult the new Act of Parliament; a Surmise on this Subject was only suggested before we broke up. Upon a Reference however to it, I was much disappointed, and sorry to find that our Intentions were entirely defeated by a

Clause in the Act (to be in Force after the 1st August 1774) which ^{deprives} us of the Power to grant, and expressly prohibits the Army to receive, the Nabob's intended Donation. I enclose a Copy of this Clause, although I make no Doubt of your having received the Act from your Correspondents. Agreeable to the positive Sense of this Clause, notwithstanding it is expressed individually, there is not a Doubt but the Army is included with all other Persons in the Prohibition from receiving Presents or Donations; a Confirmation of which is, that in the Clause of Exceptions, wherein " Counsellors at Law, Physicians, Surgeons, and Chaplains, are permitted to receive the Fees annexed to their Profession," no Mention whatever is made of any Latitude given to the Army, or any Circumstances wherein it would be allowable for them to receive Presents. This Point, it seems, was particularly debated in the House. Lord Clive stated the Cases wherein he thought it would be proper and necessary to allow the Army to receive Gratuities or Presents; but his Reasoning was over-ruled, and no Exception admitted in favour of the Army. This unlucky Discovery of an Exclusion by Act of Parliament, which admits of no Abatement or Evasion wherever its Authority extends, renders a Revival of our

Proceedings

Proceedings necessary, and leaves no Option to our Decision; it is not like the Ordinances of the Court of Directors, where a favourable Construction may be put, and some Room is left for the Interposition of the Authority vested in ourselves; but positive and decisive, admitting neither of Refinement nor Misconstruction. I should be happy if, in this Instance, a Method could be devised of setting the Act aside, which I should most willingly embrace; but, in my Opinion, an Opposition would be to incur the Penalty.] § ("The most eligible Plan that I can think of in the present Circumstances, is, for the Administration to receive the Sum intended by the Vizier as a Donation to the Brigade, and deposit it in the Company's Cash; to proceed to the Calculation of the Proportion due to each Individual of the Army; to make a public Record of the Name of every Person entitled to a Share, with the exact Sum specified which is due to him; by which Means, if the Donation should be admitted, the Right and Property of every Individual will be exactly ascertained, and fixed beyond the Possibility of any future Event to alter, equally recoverable whether he may be in the Service or removed from it, and, in case of Death, attainable to the Heirs or Executors of the Deceased. This appears to me the best Expedient for the Interest of the Army; but as I do not know your Sentiments upon it, nor the general Sense of the Army, I have not offered it to the public Consideration of the Board. The Proposal, if approved, will come with greatest Propriety from you; and I can venture to assure you, that the Members of Administration will readily adopt it, and that they will strongly recommend the Vizier's Donation to the Approbation of the Court of Directors; or, if the Power of granting Acceptance should not be vested in them, that the Parliament may be petitioned in Favour of their Army. As I confidently hope that the Issue of such an Application would be favourable, the only Inconvenience to the Army will be the Delay in the Payment of their Shares, which I shall endeavour to prevent from becoming a Loss to them, by proposing the Payment of Interest for the Loan of their Money to the Company.—Since writing the first Part of this Letter, the Board have re-considered the Subject of the Donation; and as it appeared to them that their former Resolution, with their Remarks upon the Mode of accepting the Donation, might suggest Arguments to invalidate the Claim of the Army, which now rests upon a Reference home, they agreed to give up every Consideration respecting the Transaction of this Business to the Interest of the Army, and to suppress every Circumstance that might affect their Plea with the Court of Directors, resting the Matter solely upon the Act of Parliament, and entirely obliterating their former Proceedings. You will, with this, receive a Letter from the Board, and with it a Copy of the Clause of the Act of Parliament which prevents me from sending it, as I have mentioned above.

"I am, dear Sir,

"Your most obedient Servant,

(Signed) Warren Hastings." §

Fort William,
the 21st Aug. 1774.

" 1st September 1774.

To prove the Orders given by the Court of Directors against the Receipt of Nazirs,

Read from Book 58, already delivered in, the following Extract of a separate general Letter from the Court of Directors to the Governor General and Council at Fort William, in Bengal, dated the 15th December 1775, beginning at Page 779 of the same Book.

43 "As the Custom of receiving complimentary Nazirs, or Presents, is not only liable to Abuse, but also contrary to the late Act of Parliament for regulating India Affairs, we much approve the Determination of the Majority to refuse all such Presents; and direct that strict Obedience be paid to the said Act, not only by all the Members of our Council, but by every Person in our Service, and by all British Subjects residing in India under our Protection.

Signed (at the End of the Letter)

" Ch ^r Boddam,	John Harrison,
Pet. Lafcelles,	John Roberts,
Tho ^r Rumbold,	W ^m James,
J. Stables,	G. Wombell,
Edw ^d Wheler,	Rob ^t Gregory,
Jn. Woodhouse,	John Michie,
W. Devaynes,	Fred ^k Pigou."

The Managers for the Commons stated, they should next proceed to prove the Removal of Mahomet Reza Khan from the Office of Guardian to the Nabob—the Nature of that Office, and the Orders of the Court of Directors as to the Mode of filling it up.

Read,

Read, from Book 189, already delivered in, the following Extract of a Consultation of the 28th April 1772, beginning at Page 93 of the same Book.

“ Fort William, 28th April 1772.

t Dept.

“ At a Consultation; Present,
 “ The Right Honourable Warren Hastings Esquire, President;
 William Alderfey,
 Philip M. Dacres,
 Thomas Lane,
 Richard Barwell,
 James Harris,
 James Lawrell,
 Henry Goodwin,
 John Graham, } Esquires.

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 ted Reza
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“ The President informs the Board, that in consequence of Orders received from the Secret Committee, by the Lapwing, and referred to in Paragraph the * of the general Letter from the Court of Directors which accompanied it, he has sent Instructions to Mr. Middleton to arrest the Persons of Mahomed Reza Cawn, and Rajah Aumeret Sing his Dewan, and to send them under a Guard to Calcutta; that he has received Advice from Mr. Middleton, that the same has accordingly been put into Execution. This Letter to Mr. Middleton, and Mr. Middleton's in Reply, he desires may stand on the Proceedings.

Signed (at the End of the Consultation)

Warren Hastings,
 W. Alderfey,
 Thomas Lane,
 James Harris.” (a)

Read, also, the following Extract of a Consultation of the 7th of May 1772, beginning at Page 122 of the same Book.

“ Fort William, the 7th May 1772.

ret Dept.
 uriday.

“ At a Consultation; Present,
 “ The Honourable Warren Hastings Esquire, President;
 William Alderfey,
 Philip M. Dacres,
 Thomas Lane,
 Richard Barwell,
 James Harris,
 James Lawrell,
 Henry Goodwin,
 John Graham, } Esquires.

“ RESOLVED, The Secretary do collect from the general Letter the Substance of the Company's Charges against Mahomed Reza Cawn, digested into Articles of Accusation, and lay them before the Board, that when they have received Approbation, a Publication may be made requiring all Persons, who may have any Thing to offer upon these Matters, to produce them to the President and Council at Fort William, as it would be improper that Mahomed Reza Cawn should retain the Office of Naib Soubah, when he has been divested of his Station of Naib Dewan, and as it rests with the Nabob to remove him from that Post, it is agreed that he shall be addressed by the President. (b)

(Not signed).

To shew the Nature of Mahomet Reza Khan's Office, the Witness produced Book 190, intituled, “ Cossimbazar Committee Circuit Proceedings at Kishenagur, 10th June to 17th September 1772, with Appendix.”

Read, the following Extract from the Proceedings of a Committee of Circuit of the 11th July 1772, beginning at Page 208 of the same Book.

“ Cossimbazar, the 11th July 1772.

“ At a Committee; Present,
 “ The Honourable Warren Hastings, President;
 Samuel Middleton,
 Philip Milner Dacres,
 James Lawrell, and
 John Graham, } Esquires.

“ N^o 6.

“ The Office of Naib Soubah, according to its original Constitution, comprehends the Superintendency of the Nabob's Education, the Management of his Household, the Regulation of his

(a) Vide Appendix, N^o XCIII.

(b) Vide Appendix, N^o XCIV.

Expences, the Representation of his Person, the Chief Administration of Justice, the issuing of all Orders, and Direction of all Measures which respect the Government and Police of the Provinces, the Conduct of all publick Negotiations, and Execution of Treaties; in a Word, every Branch of Executive Government. We do not mention the Military Command, that having been by Treaty ceded to the Company: But even this great Charge cannot be wholly alienated from the Naib Soubah, if there is one, since, by virtue of his Office, it is his Namè which must authorise every Act of Compulsion with regard to the European Companies.

(Signed at the End,)

Warren Hastings,
P. M. Dacres,
James Lawrell,
J. Graham." (a)

To prove the Orders of the Court of Directors relative to the Mode of filling up the above mentioned Office,

Read, from Book 176 already delivered in, the following Extract of a Letter from the Court of Directors to the President and Council at Fort William, in Bengal, dated 28th August 1771, beginning at P. 107 of the same Book.

Par. 24. " Though we have not a Doubt but that by the Exertion of your Abilities, and the Care and Assiduity of our Servants in the Superintendency of the Revenues, the Collections will be conducted with more Advantage to the Company and Ease to the Natives, than by means of a Naib Duan, we are fully sensible of the Expediency of supporting some ostensible Minister in the Company's Interest at the Nabob's Court, to transact the political Affairs of the Circar, and interpose between the Company and the Subjects of any European Power, in all Cases wherein they may thwart our Interest, or encroach on our Authority; and as Mahomet Reza Cawn can no longer be considered by us as one to whom such a Power can safely be committed, we trust to your local Knowledge, the Selection of some Person well qualified for the Affairs of Government, and of whose Attachment to the Company you shall be well assured.—Such Person you will recommend to the Nabob, to succeed Mahomed Reza, as Minister of the Government, and Guardian of the Nabob's Minority; and we persuade ourselves, that the Nabob will pay such Regard to your Recommendation as to invest him with the necessary Power and Authority.

25. " As the Advantages which the Company may receive from the Appointment of such Minister will depend on his Readiness to promote our Views and advance our Interest, we are willing to allow him so liberal a Gratification as may excite his Zeal, and ensure his Attachment to the Company; we therefore empower you to grant to the Person, whom you shall think worthy of this Trust, an annual Allowance, not exceeding Three Lacks of Rupees, which we consider not only as a munificent Reward for any Services he shall render the Company, but sufficient to enable him to support his Station with suitable Rank and Dignity. And here we must add, that in the Choice you shall make of a Person to be the active Minister of the Nabob's Government, we hope and trust, that you will shew yourselves worthy of the Confidence we have placed in you, by being actuated therein by no other Motives than those of the public Good, and the Safety and Interest of the Company.

26. " As the Disbursements of the Sums allotted to the Nabob, for the Maintenance of his Household and Family, and the Support of his Dignity, will pass through the Hands of the Minister who shall be selected by you, conformable to our preceding Orders, we expect that you will require such Minister to deliver annually to your Board a regular and exact Account of the Application of the several Sums paid by the Company to the Nabob.

" This you will strictly examine; and we trust that you will not suffer any Part of the Nabob's Stipend to be appropriated to the Minister's own Use, or wasted among the unnecessary Dependents of the Court; but that the whole Amount be applied to the Purposes for which it was assigned by us.

Signed (at the End of the Letter)

Jn^o Michie,
Daniel Wier,
George Cuming,
Rich^d Bolanquer,
Edw^d Wheler,
J. Hurlock,
John Roberts,
Joshua Smith,
John Harrison,

J. Purling,
Geo. Dudley,
Henry Savage,
Fred^k Pigou,
L. Sullivan,
J. Manship,
Ja. Cockburn,
W^m James,
Peter du Cane jun^r."

To shew Mr. Hastings's own Opinion of the Qualifications necessary for the Office of Guardian to the Nabob,

Read, from Book 12, already delivered in, the following Extract of a Consultation, dated Fort William, 14th September 1775, beginning at Page 254 of the same Book.

t Dept.
iday.

“ At a Council ; Present,
The Honourable Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ To the Honourable the Court of Directors, &c.

“ You will expect, that in the Proceedings against the Begum the strictest Regard will have been paid to her Honour, and every scrupulous Attention observed which the Delicacy of the Oriental Manners prescribes with respect to her Sex, and her Rank and Character particularly demand ; and that in the Choice of her Successor due Consideration has been paid to the Requisites for so distinguished a Charge ; that his Rank is such as at least may not wound the Nabob's Honour, or lessen his Credit in the Estimation of the People, by the magisterial Command which the new Guardian must exercise over him ; with Abilities and Vigor of Mind equal to the Support of that Authority ; and the World will expect that the Guardian be especially qualified by his own acquired Endowments to discharge the Duties of that Relation, in the Education of his young Pupil, to inspire him with Sentiments suitable to the Dignity of his Birth, and to instruct him in the Principles of his Religion.

(Signed at the End of the Letter)

“ Warren Hastings.

(Signed at the End of the Consultation)

“ Warren Hastings,
J. Clavering,
Geo. Monson,
R. Barwell,
P. Francis.” (a)

The Managers for the Commons stated, that they should next prove that Ahteram ul Dowla, the Nabob's Uncle, applied to succeed to the abovementioned Office, and that Mr. Hastings refused him, upon a Pretence which they would show to be false.

Read, from Book 189, already delivered in, the following Extract of a Consultation of the 21st May 1772, beginning at Page 152 of the same Book.

“ Fort William, 21st May 1772.

Dept.
lay.

“ At a Consultation ; Present,
The Honourable Warren Hastings Esquire, President ;
William Aldersey, }
Philip M. Dacres, }
Thomas Lane, }
Richard Barwell, } Esquires.
James Harris, }
James Lawrell, }
Henry Goodwin, }
Mr. Graham at the City.

“ Read the following Letter from Moorshedabad.

“ To the Honourable Warren Hastings Esquire, President and Governor, &c.—Members of Council in their Secret Department at Fort William.

“ Honourable Sir and Sirs,

“ Enclosed we transmit you a Copy of a Petition delivered to us by the Nabob Ahteram ul Dowla, and beg to submit the Subject thereof to your Consideration, remarking that we are informed he is, as he represents, the eldest surviving Branch of Meer Jaffer's Family. We must also observe to you the Necessity there is for speedily appointing a Naib to the Nizamut, as the Business of that Department, particularly the Courts of Justice, as well here as in the Mofussul, is suspended for want of a Person properly authorised to confirm the Decrees of the several Courts of Justice, and to pass Sentence on Criminals, besides various other Matters of Business wherein the Interposition of the Soubah is immediately necessary.

“ We are, with Respect, &c.

“ Moorshedabad,
May 18, 1772.

Samuel Middleton,
George Hurst,
John Bathoe,
Alexander Higginson.”

Signed, at the End of the Consultation,

“ Warren Hastings, Thomas Lane,
W^m Aldersey, James Harris.”

(a) Vide Appendix, N^o XCVI.

Read, also, the following Extract from the same Book, and same Consultation, beginning at Page 161 of the same Book.

“ From Ateram ul Dowlah.

“ From the bountiful Favour of the English Company, and the Friendship of their Governor and Council, the Nabob Meer Mahomed Jaffier Ally Cawn, my elder Brother, was appointed to the Soubahdarry of Bengal and Bahar, who in promoting the Welfare of the Company, and meriting the Approbation of the Governor and Council, exerted himself to the utmost. This was manifest to the Gentlemen and to the World. After the Nabob's Decease, the Governor and Council having a Regard to his former Merits, and preserving a Friendship for him, confirmed his Sons in the Succession to the Soubahdarry. Mahomed Reza Cawn being now by the Orders of the Company dismissed from his Office of Naib, the Bhegum sent for me from Rejemchal, and says, “ All the principal Relations of the Nabob Jaffier Ally Cawn being now deceased, there is no One left of sufficient Rank and Maturity of Years to take Care of the Family—You are now the eldest of the Branch, do you consent to take upon yourself the Office of Neabut Nizamut, for should any Stranger be appointed, he will apply himself to the Acquirement of a Livelihood, whilst our Affairs will be neglected, and ourselves reduced to Distress.” As in order to afford Satisfaction to the Family of the deceased Nabob, it is incumbent on me to exert myself to the utmost of my Power in the Management of the Affairs of the Nabob Mobareck ul Dowlah and the Bhegum, there being no other of Age sufficient for the Trust; so I am therefore hopeful that the Gentlemen of Council, will out of the Friendship of their Hearts appoint me to the Neabut Nizamut, or Naib under the Nizim, because in that consists the Satisfaction of the Nabob and Bhegum.”

(A true Translation).

Read, also, from Page 163 of the same Book, and same Consultation, the following Extract.

“ Ordered the Enclosure be entered after the Proceedings.

“ The Board think it advisable for the present to suspend their Choice of a Naib Soubah.”

To shew the Pretences upon which Mr. Hastings refused to appoint Ateram ul Dowlah,

Read, from Book 194, already delivered in, the following Extract of duplicate Copy of a Letter from the Governor General to the Secret Committee of the Honourable the Court of Directors for the Affairs of the Honourable United East India Company, dated 1st September 1772, beginning at Paragraph 11 of the same.

Par. 11. “ The only Man who could pretend to such a Trust was the Nabob Yeteram o' Dowla, the Brother of Meer Jaffier; a Man indeed of no dangerous Abilities, nor apparent Ambition, but the Father of a numerous Family, who, by his being brought so high to the Mulsud, would have acquired a Right of Inheritance to the Subahship; and if only One of his Sons, who are all in the Prime of Life, should have raised his Hopes to the Succession, it would have been in his Power at any Time to remove the single Obstacle which the Nabob's Life opposed to the Advancement of the Family; the Guardian at least would have been the Nazim while the Minority lasted, and all the Advantages which the Company may hope to derive from it, in the Confirmation of their Power, would have been lost, or could only have been maintained by a Contention hurtful to their Rights, or by a Violence yet more exceptionable. The Case would be much the same were any other Man placed in that Station. The Truth is, that the Affairs of the Company stand at present on a Footing which can neither last as it is, nor be maintained on the rigid Principles of private Justice. You must establish your own Power; or you must hold it dependant on a Superior, which I deem to be impossible.

“ Cossimbazar,
1st September 1772.

(Signed) “ Warren Hastings.” (a)

To prove Mr. Hastings's own Opinion of the Truth of the above Representation,

Read, from Book 190, already delivered in, the following Extract of a Committee of the 28th July 1772, beginning at Page 282 of the same Book.

“ Cossimbazar, the 28th July 1772.

“ At a Committee; Present,

“ The Honourable Warren Hastings Esquire, President;
Samuel Middleton,
P. Milner Dacres,
James Lawrell,
John Graham, } Esquires.

“ The President delivers in the following Minute.

“ But whatever may have been the Conduct of Rajah Nundcomar in a different Station, and former Occasions, the President cannot form an Idea of any Danger to which the Company's

Interests can be exposed by his Influence with his Son in the Office which is now proposed for the latter. No Situation of our Affairs could enable the Nabob, or any Person connected with him, to avail himself by any immediate or sudden Act, of the slender Means which he has left to infringe our Power or enlarge his own. He has neither a military Force, Authority in the Country, foreign Connections, nor a Treasury. A Design of such a Nature (if ever practicable) can only take Effect by a long Train of concerted Events, and must be the uninterrupted Work of Years. But, as it has been repeatedly remarked, the Father having no Trust or Authority, nor the Son Abilities equal to so great an Enterprize, the slightest Suspicion will be sufficient to remove the former, and frustrate every Hope of the Kind for ever.

(Signed at the End)

“ Warren Hastings,
P. M. Dacres,
James Lawrell,
J. Graham.”

The Managers for the Commons stated, they would next proceed to prove the Impropriety of the Appointment of Munny Begum, first, by shewing who she was.

Read, from Book 11, already delivered in, the following Extract of a Consultation of the 24th July 1775, beginning at Page 700 of the same Book.

“ Fort William, the 24th July 1775.

Secret Dept.
Monday.

“ At a Consultation; Present,

The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ Every Day's News is transmitted you, from which you will be acquainted with all Particulars. I enclose you a Paper containing an Account of the Bhegums of Jaffier Ally Cawn, and I hope you will send me a speedy Answer.

Paper inclosed in the foregoing.

“ Shah Chanim deceased was Sister to the Nabob Mahabut Jung by the same Father, but different Mothers; she married Meer Mahomed Jaffier Cawn, by whom she had a Son and a Daughter, the Name of the former was Meer Mahomed Sadduc Ally Cawn, and the latter was married to Meer Mahomed Cossim Cawn. Sadduc Ally Cawn had Two Sons and Two Daughters; the Sons Names are Meer Sydoo and Meer Sobeen, who are now living; the Daughters were married to Sultan Merza Daood.

“ Buboo Bhegum, the Mother of the Nabob Mobareek ul Dowlah, was the Daughter of Summin Ally Cawn, and married Meer Mahomed Jaffier Cawn. The History of Munny Bhegum is this: At a Village called Balcunda, near Sekindra, there lived a Widow who, from her great Poverty, not being able to bring up her Daughter Munny, gave her to a Slave Girl belonging to Summin Ally Cawn, whose Name was Bissoo. During the Space of Five Years she lived at Shahjehanabad, and was educated by Bissoo after the Manner of a Dancing Girl. Afterwards the Nabob Shamut Jung, upon the Marriage of Ikram ul Dowlah, Brother to the Nabob Surage ul Dowlah, sent for Bissoo Beg's Set of dancing Girls from Shahjehanabad, of which Munny Bhegum was one, and allowed them 10,000 Rupees for their Expences, to dance at the Wedding. While this Ceremony was celebrating they were kept by the Nabob; but some Months afterwards he dismissed them, and they took up their Residency in this City. Meer Mahomed Jaffier Cawn then took them into keeping, and allowed Munny and her Set 500 Rupees per Month; till at length finding that Munny was pregnant, he took her into her * own House. She gave Birth to the Nabob Nijum ul Dowlah, and in this Manner has she remained in the Nabob's Family ever since.” (a)

* Sic in Orig.

To prove the Opinion of the President and Council of the Appointment of her natural Son to the Government upon a former Occasion, by Bribery and Corruption,

Read, the following Extract of a general Letter from the Board to the Select Committee of the Court of Directors, dated 30th September 1765, from the printed Evidence supra, Page 955.

“ A Treaty was hastily drawn up by the Board, or rather transcribed, with few unimportant Additions, from that concluded with Meer Jaffier; and a Deputation, consisting of Messrs. Johnstone Senior, Middleton, and Leycester, appointed to raise the Natural Son of the deceased Nabob to the Subahdarry, in prejudice of the Claim of the Grandson.

Signed, at the End,

Clive,
W^m B. Sumner,
John Carnac,
H. Verelst,
Fr^s Sykes.”

To prove that Munny Begum had no Right to the Superiority of the Family, and that the Nabob had a Mother living who had a Right to it, but was dispossessed by Mr. Hastings, though she had been placed in that Situation by the Order of the Council, the Witness produced Book 199, intituled, " 1770, 1771, Bengal Country Correspondence received."

Read, the following Letter from Mahomed Reza Cawn to the Governor General, dated May 22d.

" From Mahomed Reza Cawn, May 22d.

" With respect to your Excellency's Observations concerning the Begums, the true State of the Affair is this : The most respected of all Myr Jaffier's Begums, for Manners and Family, was the Mother of Sadek Aly Cawn. After the Death of Sadek Aly Cawn, as Nigim ul Dowlah was the next Son, his Mother rose to the Preeminence. After Myr Jaffier's Death, when the Nezamet devolved to Nigim ul Dowlah, his Mother derived her Claims from her Son's Station as Nazim, and whilst Syfe ul Dowlah possessed the Government, she was upheld in the same Dignity. As Respect is due to all the Wives * of Myr Jaffier, and the Mother of Nezim ul Dowlah has been considered in the First Place by Two Brothers, perhaps it would be proper to give them an equal Share of Rank and Authority, though the Right is in the Mother of Mebarek ul Dowlah. Whatever your Excellency thinks most adviseable, your Servant will, in Concert with Mr. Becher, execute and advise you thereof." * Sic in Orig.

Read, also, from the same Book, the following Letter from the Begum Baboo, dated June 15th.

" From the Begum Bebu, June 15th.

" I have received your most gracious Letter, acquainting me that you directed the Nabob Mahomed Reza Cawn and Mr. Becher to invest me with the Honours and R + of former + Sic in Orig. Begums; and To-day, which is the 23d of Sefer, according to your Excellency's Commands, the Nabob and Mr. Becher visited me in the Kellah, and gave me Charge of the House. I have not Words to acknowledge my Sense of your Excellency's Favours, and hope for the Continuance of them."

To shew that Baboo Begum was actually invested with the Superiority of her Family by Mahomed Reza Cawn, in Right of her being the Mother of the Nabob,

Read, also, a further Extract from the same Book, as follows :

" From Mahomed Reza Cawn, June 20th.

Acquainting the Governor of the above Transactions."

Read, also, a further Extract from the same Book, as follows :

" From Mebarek ul Dowlah, June 20th.

On the same Subject, and expressing his Satisfaction at the Regulation which has taken Place in his Family."

The Managers for the Commons stated, that the next Point they should proceed to, was a negative Presumption of Fraud in Mr. Hastings, in as much he never informed the Directors, in the whole Course of his Correspondence, that the Nabob had a Mother existing, much less that she had filled the above Office, and that he had deposed her.

The Witness was asked,

Q. Whether you have examined the Records, and Mr. Hastings's Correspondence with the Court of Directors, relative to the Appointment of Munny Begum ?

A. I have only read those Letters from Mr. Hastings at that Time, in the Year 1772.

Q. (by a Lord.) Have you read all the Letters from Mr. Hastings from the Beginning to the End of that Year ?

A. I have of the Year 1772.

Q. (by Counsel.) From Mr. Hastings individually, and not from the Board ?

A. From Mr. Hastings individually, and not from the Board.

Q. (by Managers.) Have you examined any other Part of the Correspondence than that of Mr. Hastings alone to the Board, with the View that has been mentioned ?

A. I have not.

Q. Whether you have found in Mr. Hastings's Correspondence, any Mention of the Existence of such a Person as the Mother of the Nabob, under the Name of Baboo Begum, or any other? —Did you look at it with that View?

A. Yes.

Q. Did you in looking over it find any mention of the Mother of the Nabob?

A. No, there is not.

The Managers for the Commons stated, they should next proceed to prove the Reasons assigned by Mr. Hastings for the Appointment of Munny Begum, which they should shew to be also false.

Read; from Book 190, already delivered in, the following Extract of the Proceedings of a Committee of the 11th July 1772, beginning at Page 206 of the same Book.

“ Cossimbazar, the 11th July 1772.

“ At a Committee; Present,
The Honourable Warren Hastings, President;
Samuel Middleton,
Philip Milner Dacres, } Esquires.
James Lawrell, and
John Graham,

Deliberations
on the Ap-
pointment of
the Nabob's
Ministers.

“ The Committee having assembled this Day to consider the Means of regulating the Nabob's Household, One of the Points referred to them by the Instructions of the Board, in their Letter of the 4th of June,” (a)

Read, also, from the same Book, Page 207, and same Proceedings, the following Extract:

Opinion.

“ The Committee are fully sensible of the Expediency remarked by the Honourable Court of Directors, of holding out the Authority of the Country Government to the European Powers in all Cases wherein their Interests may interfere with those of the Company; but we humbly conceive, that when they are acquainted with all the Circumstances which the Opportunity of present and local Information have offered to our Notice, they will judge with us, that it is neither necessary for that Purpose, nor advisable for other Reasons, to delegate an extraordinary permanent Authority to any single Minister of the Nabob; since any Man, of what Rank soever, may be occasionally commissioned to treat on the commercial Concerns of the European Nations settled in these Provinces, according to the Custom which has been invariably observed in such Cases with all the European Companies, the English alone, within these Fifteen Years, excepted; they were never allowed a personal Intercourse with the Nabob but as a special Favour, nor even with his Minister, but transacted all Affairs by their Vackeels with the Mutasuddeds of the Durbar. In Matters respecting the Government and Peace of the Country, in which foreign Nations may be concerned, the Nabob's Mandate, under his Seal, will be a sufficient Indication of his Pleasure; and the Officers acting by his Authority in consequence will receive the usual Warrants in his Name, without any apparent Intervention of either the Controul or Influence of the Company. The Appointment therefore of a Naib Soubah for such Purposes we judge unnecessary; nor is it allowable to suppose that our Honourable Masters would approve of our putting them to the Charge of an annual Salary of Three Lacks of Rupees to such an Officer, merely for the Sake of giving Echât to the Negotiations, or authenticating the Privileges of their Rivals in Trade, if the Ends of an ostensible Minister can be equally answered by other Means, that shall not encroach in so great a Degree on the public Treasure, or lessen the Consequence of our own Administration; but it is not only unnecessary, it may be liable to much present Inconvenience, and to future Danger.” (b)

Read, also, from the same Book, Page 210, and same Proceedings, the following Extract:

“ On these Grounds we are of Opinion, that the Office of Naib Soubah be totally abolished, that a Person not liable to the above Objections be appointed Guardian to the Nabob, and entrusted with the Care and Rule of his Family, and that a Dewan be also nominated, subject to the Controul of the former, who shall regulate and pay the Salaries of the Nabob's Servants, and keep the Account of his Expences, to be monthly transmitted to the Board, according to the Orders of the Honorable Court of Directors.

“ Of the Magistracy we shall speak in another Place.

“ We know no Person so fit for the Trust of Guardian to the Nabob as the Widow of the late Nabob Jaffier Ally Cawn, Minnee Begum; her Rank may give her a Claim to this Pre-eminence, without Hazard to our own Policy; nor will it be found incompatible with the Rules prescribed to her Sex by the Laws and Manners of her Country, as her Authority will be con-

(a) Vide Appendix, N° XCV.

(b) Vide Appendix, ibid.

fixed to the Walls of the Nabob's Palace, and the Dewan will act of course in all Cases in which she cannot personally appear. Great Abilities are not to be expected in a Zennana, but in these she is very far from being deficient, nor is any extraordinary Reach of Understanding requisite for so limited an Employ. She is said to have acquired a great Ascendant over the Spirit of the Nabob, being the only Person of whom he stands in any Kind of Awe; a Circumstance highly necessary for fulfilling the chief Part of her Duty in directing his Education and Conduct, which appear to have been hitherto much neglected.

"Resolved therefore, that it be recommended to the Board to appoint Minnee Begum to the Guardianship of the Nabob, and superintending of his Household.

(Signed) at the End,

" Warren Hastings,
P. M. Dacres,
James Lawrell,
J. Graham." (a)

To prove that an Expence of Three Lacks was incurred in consequence of the Appointment of Munny Begum,

Read, the following Extract of the Proceedings of a Committee of the 7th September, 1772, beginning at Page 504 of the same Book.

" Cossimbazar, the 7th September 1772.

" At a Committee; Present,
" The Honourable Warren Hastings Esquire, President;
Samuel Middleton,
Philip Milner Dacres,
James Lawrell, and
John Graham, } Esquires.

" The Committee deliberating at the same Time on the Appointments necessary for the other Officers of the Nabob's Household, lately established by them, and paying proper Attention to the Orders of the Company, with regard to the Allowances to be granted to the ostensible Minister, who was to act in the Place of the Naib Subah, have agreed that the Sum of Three Lacks, limited for the above Purposes by these Orders, be divided in due Proportion among these Officers who are now substituted, instead of the said Naib Subah and Naib Dewan.

" Resolved therefore, that this Sum be distributed as follows :

	Rupees.
To the Begum, per Annum	1,40,000
To Rajah Goordafs, Dewan, and his Officers	1,00,000
To Rajah Rajebullub, Royroyan of the Khalsa, as per Proceedings of	60,000
	<hr/>
	Rupees 3,00,000

(Signed at the End)

Warren Hastings,
P. M. Dacres,
James Lawrell,
J. Graham." (b)

To prove that the whole Powers of the Government were given to Munny Begum,

Read, the following Extract from the Proceedings of a Committee, dated Cossimbazar, 14th September 1772, beginning at Page 533 of the same Book.

" Cossimbazar, the 14th September 1772.

" At a Committee; Present,
The Honourable Warren Hastings Esquire,
Samuel Middleton,
Philip Milner Dacres,
James Lawrell, and
John Graham, } Esquires.

" Agreed that the President be desired to write her an Answer.—He prepares it accordingly. It is approved of, and is as follows :

" To Munny Begum.

" You are undoubtedly the Mistress to confirm, dismiss, and appoint whomever you shall think fit in the Service and Offices of the Nizamut; they are accountable to you alone for their Conduct, and no One shall interfere between you and them. Although I know that you in this Point have no View or Desire but what is entirely consistent with the Regard which you bear the Company, and the Continuance of that cordial Union and Connection of Interests which prevail between the House of the Nabob and the Company, which, by the Blessing of God, have taken stronger Root

than ever, since the Administration of the Affairs of the Nizamut hath been happily placed in your Hands, yet, in a Writing of this Kind, it is necessary that every Thing be clearly expressed, and therefore I beg leave to remark, that as the Dewan and Pashker have received their Offices at the immediate Instance and Recommendation of the Company, it will be a Diminution of their Credit, and bear the Appearance of a Difference of Interest between us, if these Officers are removed but by the Concurrence of this Government.

(Signed at the End)

Warren Hastings,
James Lawrell,
J. Graham,
P. M. Dacres." (a)

To prove that the before mentioned Appointment of Munny Begum was against the Will of the Nabob,

The Witnesses produced Book 203, intituled, " Bengal Country Correspondence, sent from 7th January to 31st December 1772."

Read, the following Letter from Mr. Hastings to the Nabob Mobarick ul Dowlah, beginning at Page 40 of the same Book.

" To the Nabob Mebareck ul Dowlah.

" In consequence of the frequent Representations from your Excellency of the present unsettled and disorderly State of your Household, and of my Promises to assist you in the arranging of it anew, I have consulted with the Committee which is here present, and with the Council of Calcutta, and this is the Result of our Deliberation. That Miny Begum, the rightful Head of your Family, is the fittest Person to be intrusted with the Care of your Education, and the Management of your Household.—She stands in the Place of your deceased Father, and is equally qualified by her Affection to you, and her Abilities, to execute this Trust to your Honour and Advantage: I therefore, in Name and on Behalf of the Company, recommend to confer these Charges on Miny Bhegum, and as a trusty Muteseddee will also be wanting to keep a regular Account of your Expences, I am further instructed to recommend Rajah Goordais, the Son of Mehor Rajah Nundecolnar, the ancient Servant of your late Father, and the approved Well-wisher of your House, to serve you and the Begum afore-mentioned in the Quality of Dewan.

" From the former Assurances you were pleased to give me that you would readily acquiesce in such Arrangements as I should recommend for the Administration of your Affairs, I make no Doubt but your Excellency will entirely assent to these Propositions; I therefore request to know of your Excellency, when it will be agreeable that I wait on you with the Gentlemen of the Committee, to inform you further of the Sentiments of the Company and of the Council; and also to assist in carrying the Measures recommended by them, by your Concurrence, into immediate Execution, with the proper Forms, and in the most publick Manner, to shew the World, that in such Matters as regard your Prosperity, there is but One Heart and One Interest between you and the Company."

To prove that the Nabob Mobarick ul Dowlah declined an immediate Acquiescence to the foregoing Order, and desired a personal Conference on the Subject of it,

The Witnesses produced Book 204, intituled, " Bengal Persian Country Correspondence received, from the 1st of January to the 30th December 1772."

Read, the following Letter from the Nabob Mobarick ul Dowlah to Mr. Hastings, beginning at Page 102 of the same Book.

" From the Nabob Mebarek ul Dowlah.

Received 17th August 1772.

" I have been made happy by the Receipt of your Favour, and have comprehended its Contents; as it's Answer depends upon a personal Interview, I flatter myself, that when agreeable to you to call on me, that * we shall be made happy by a Meeting with each other. For the rest, &c."

* Sic in Orig.

Read, from Book 189, already delivered in, the following Extract of a Letter from the Committee of Circuit at Cossimbazar, to William Aldersey Esquire, and the rest of the Council at Fort William, beginning at Page 491 of the same Book.

" Fort William, the 29th August 1772.

" At a Consultation; Present,
William Aldersey Esquire, President;
Thomas Lane,
James Harris, } Esquires.
Henry Goodwin, }
Mr. Barwell indisposed.

Secret Dept.

" To William Aldersey Esquire, and the rest of the Gentlemen of Council at Fort William.

" Gentlemen,

" We formerly advised you of our having, in consequence of your Approbation, recommended to the Nabob the Appointment of Munnee Begum and Raja Goordais to the Offices assigned them

in our Resolutions.—The Answer from his Excellency was not so direct as we could have wished. He declared nothing positively as to his Intentions, but expressed his Wish to settle these Matters in personal Interview with us. We therefore determined to wait on him, and, as we knew his Indecision proceeded solely from the undue Influence of some People about him, we made no Doubt of bringing Matters to the Point we proposed by an amicable Conference; accordingly we proceeded Yesterday to the Kella, and had an Interview with the Nabob. After having opened the Conference, we desired him to summon the Attendance of such of the Officers of his Household as we knew to be the Persons who directed his Councils; we expostulated with them on the Impropriety of their Opposition, explained the Motives which influenced the Board in their Recommendation of these Appointments, and had the Satisfaction to obtain from the Nabob his entire Assent to them.

“ Cossimbuzar,
20th August 1772.

“ Signed,

Warren Hastings,
Samuel Middleton,
P. M. Dacres,
James Lawrell,
J. Graham.” (a)

Read, also, from the same Book, Page 493, the following Extract of another Letter from the said Committee.

“ To William Aldersey Esquire, and the rest of the Gentlemen of Council, at Fort William.

“ Gentlemen,

“ This accompanies an Extract of our Proceedings of this Date, containing a Plan which is submitted to your Approbation, for the Distribution of the Huzzoor Zelahs, and the general Superintendence of the Collections.

“ The Reasons for the Separation which we have proposed for the Huzzoor Zelahs will best appear in these Minutes; but it may not be unnecessary to obviate the Objections which may possibly occur to the apparent heavy and disproportionate Charge which we have assigned to Mr. Middleton.—The Propriety of his Appointment to the Residency at the Durbar, and Chiefship of Cossimbuzar, we will suppose to admit of any Doubt. The Divisions which prevail in the Family of the Nabob, and the Reluctance with which the late Arrangements have been submitted to by a Part of it, require the Presence and constant Attention of a Person of Authority, to conciliate the former, and to support the latter. This appears to be a Point of such essential Consequence, and more particularly in the Commencement of the new Establishment, that we think Mr. Middleton cannot accompany the Committee in its Circuit, without manifest Hazard of leaving the Nabob's Affairs to fall into more Disorder than that from which we have endeavoured to relieve them; and for this Reason we recommend that he be permitted to remain at the City, and that his Appointment to the Committee be revoked.

“ Cossimbuzar,
20th August 1772.

“ (Signed)

Warren Hastings,
Sam'l Middleton,
P. M. Dacres,
James Lawrell,
J. Graham.” (b)

To prove the Reduction made in the Household of the Nabob Mobarick ul Dowlah,

Read, from Book 194, already delivered in, the following Extract of a Letter from the President and Council of Fort William, in Bengal, to the Court of Directors, bearing Date the 10th of November 1772.

“ 11. The Reduction of the Nabob's Stipend, and the new Arrangement of his Household in consequence, was a Measure equally difficult and invidious in Execution; but besides being indispensable from your Orders, our Sense of it's Wisdom and Propriety made it be undertaken without Delay or Regret. To bring the Whole of the Expences of the Nizamut within the Pale of the 16 Lacks, it was necessary to begin with reforming the useless Servants of the Court, and retrenching the idle Parade of Elephants, Menageries, &c. which loaded the Civil List. This cost little Regret in performing; but the President, who took upon him the chief Share in this Business, acknowledges he suffered considerably in his Feelings, when he came to touch on the Pension List; some Hundreds of Persons of the ancient Nobility of the Country excluded, under our Government, from almost all Employments, Civil or Military, had, ever since the Revolution, depended on the Bounty of the Nabob; and near 10 Lacks were bestowed that Way. It is not that the Distribution was always made with Judgement or * impartial, and much Room was left for a Reform; but when the Question was to cut off entirely the greatest Part, it could not fail to be accompanied with Circumstances of real Distress. The President declares, that even with some of the highest Rank, he could not avoid discovering, under all the Pride of Eastern Manners, the manifest Marks of Penury and Want. There was, however, no Room left for Hesitation; to confine the Nabob's Expences within the limited Sum, it was necessary that Pensions should be set aside:

(a) Vide Appendix, N° CI.

(b) Vide Appendix, ibid.

It was done; and every possible Regard was had to Equity, and the Pretensions of Individuals, in settling those which were allowed to remain.

" 12. The Dependants of the late Naib Soubah were, without Exception, cut off the List; and the Remainder of the Reduction chiefly confined to those who were either of less Pretensions or more Independance of Fortune than the old Pensioners. In short, the whole Establishment was adjusted to the Nabob's new Income, beyond which the Begum was given to understand she must not go. The general State of it was intended to be sent; but, as it may be well imagined, the minute Household Accounts of 32 Lacks could not be examined by the proper Officers in a few Days; the President's Departure pressed; they promised to send it after him; it is not yet come; but we hope to transmit it by one of the latter Ships.

(Signed) at the End of the Letter,

" Warren Hastings,
R^t Barker,
W. Aldersey,
Thomas Lane,
Rich^d Barwell,
James Harris,
H. Goodwin." (a)

Then the Witnesses produced Book 3, intituled, " Bengal Secret Consultations from 18th January to 30th December 1773."

Read, the following Extract of a Consultation of the 25th January 1773, beginning at Page 17 of the same Book.

" Fort William, the 25th of January 1773.

Monday.
Secret Dept.

" At a Consultation; Present,
The Honourable Warren Hastings Esquire, President;
Brigadier General Sir Robert Barker,
William Aldersey, }
John Reed, } Esquires:
Henry Goodwin, }
William Lambert, }
Messrs. Lane and Barwell indisposed.

" The President lays before the Board the reduced Establishment of the Nabob's Expences, with the following Minute.

" I have now the Satisfaction to lay before the Board the Account completed of the Establishment fixed for the various Expences of the Nabob's Household. For the readier Comprehension of the Reduction which has been made in those Charges, the old and the new or reduced Establishment, are drawn out in separate Columns, with the Sums appertaining to each Head or Article of the Accounts in opposite Columns. The annual Amount of the Nabob's Expences, as they have hitherto stood, was Rupees 26,84,559 10. The Amount on the present Reduction is, 15,45,689 : 8; which comes within the present allotted Stipend, and leaves a Saving of 54,310 : 8. The Difficulty of adjusting an Account of such Magnitude, consisting of so many various Articles, and which furnished a Livelihood to near Ten thousand Persons, obliged the Committee when they parted at Cossimbuzar to leave it unfinished: I have since completed it with the Peshkur of the Nizamut, whom I called down from the City for that Purpose.

Signed, at the End,

Warren Hastings,
W^m Aldersey,
H. Goodwin." (b)

To shew the Number of Persons included in the Reduction made in the Nabob's Establishment,

Read, from Book 191, already delivered in, the following Extract of a Consultation of the 21st February 1774, beginning at Page 482 of the same Book.

" Fort William, the 21st February 1774.

Monday.
Separate Pro-
ceedings rela-
tive to Maho-
med Reza
Cawn.

" At a Consultation; Present,
The Honourable Warren Hastings Esquire, President;
William Aldersey, }
James Lawrell, }
Henry Goodwin, } Esquires.
John Graham, }
George Vansittart, }

The Dependants, &c. Servants.

Read, also, from same Book, Page 485, and same Consultation, the following Extract.

“ Abstract of the foregoing Account.

	Men.	Women.	Horses.	Rupees.	Number of Dustak.
By the Dustakest of Nabob Meer Jaffier	386	11	46	7,602 8	425
D°. of Mirza Mahmud Ertch Cawn	276	10	33	3,287 8	323
D°. of Nabob Naujmut Dowlah	8	6	—	2,338 8	19
D°. of Nabob Saiffa Dowlah —	10	—	1	358 8	15
D°. of Nabob Mohbarrick Dowlah	3	—	—	725	4
D°. of Muzaffur Jung — —	1437	90	181	41,488 13	686
Being in all	2120	117	261	55,800 13	1472

Signed at the End of the Consultation,

Warren Hastings, H. Goodwin,
W. Aldersey, J. Graham,
P. M. Dacres, George Vanfittart.” (a)

James Lawrell,

To shew the premeditated Corruption of Mr. Hastings in the Whole of the Transaction in question, the Managers for the Commons stated, they would next produce an Order given by the Court of Directors, to have a strict Account kept, by a proper Officer, of all the Expence in the Nabob's Family; that such Account should be transmitted to them; and Mr. Hastings's Acknowledgement that he had kept no such Account.

Read, from Book 11, already delivered in, the following Extract of a Consultation of the 21st June 1775, beginning at Page 293 of the same Book.

“ Fort William, the 21st June 1775.”

“ At a Council; Present,

The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis,

Secret Dept.
Wednesday,

“ General Clavering.—I beg Leave to move, That the Accomptant General, or the Accomptant of the Treasury, be ordered to lay before this Board the annual Account which has been transmitted to the late President and Council, or to the Governor General and Council, from Rajah Goordafs, in consequence of the Orders contained in the 26th Paragraph of the General Letter of the Court of Directors, of the Date of the 29th of August 1771, in the following Words: “ As the Disbursements of the Sums allotted to the Nabob for the Maintenance of his Household and Family, and the Support of his Dignity, will pass through the Hands of the Minister who shall be selected by you, conformable to our preceding Orders, we expect that you will require such Minister to deliver annually to your Board, a regular and exact Account of the Application of the several Sums paid by the Company to the Nabob. This you will strictly examine; and we trust, that you will not suffer any Part of the Nabob's Stipend to be appropriated to the Minister's own Use, or wasted among the unnecessary Dependants of the Court; but that the whole Amount be applied to the Purposes for which it was assigned by us.”

“ The Governor General.—I can save the Board the Trouble of this Reference, by acquainting them, that no such Accounts have been transmitted, nor, as I can affirm with almost a certain Knowledge, any Orders given for that Purpose, either to Goordafs, to whose Office it did not properly belong, nor to the Begum, who had the actual Charge and Responsibility of those Disbursements. This I am willing to acknowledge to have been an Omission of the late Government, among, perhaps, many others, unavoidable in the Multiplicity and Importance of their other Duties; and perhaps less attended to in this Instance from the absolute Impossibility to examine the Accounts, or draw from them the Uses intended by this Order of the Honourable Company. I will answer for my own Part, that having given a great Part of my Time and Attention in the course of many Months, to form a new Establishment of the Nabob's Expences, reduced within the Sum of his reduced Stipend, I had little Encouragement, had it ever occurred to me, to go through the annual Labour of scrutinizing and auditing the long Accounts of his actual Disbursements.

Signed, at the End of the Consultation,

“ Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis.”

The Managers for the Commons stated, that the next Piece of Evidence they would produce was several false Accounts made up by Mr. Hastings, to shew that his Conduct in the foregoing Transaction was with a View to Peculation and Bribes.

Then the Witnesses produced Book 203, intituled, "Bengal Country Correspondence sent, from 7th January to 31 December 1772."

Read, the following Letter from Mr. Hastings to the Nabob Mobarick ul Dowlah, dated 7th January 1772, beginning at Page 1 of the same Book.

"To the Nabob Mobareck ul Dowlah.

Written 7th January 1772.

"As a Servant of the English Company, it is incumbent upon me to obey such Directions as I may be honoured with, and to fulfil their Orders to the utmost of my Abilities; but I am sorry to be the Channel of acquainting your Excellency with any Circumstance that might occasion your Anxiety, or to be myself the Source of Inquietude to your Heart; but as this is a Matter between the Servant and his Superiors, I am remediless. In the Letters which I have received from the Company by a Ship which is lately arrived from Europe, they have directed me to acquaint you, that they cannot conceive that either your Excellency's Time of Life, or your present Situation, can require so large an Allowance as you have hitherto enjoyed, and that during your Nonage, they are in * Opinion that the Sum of 15,81,991 9 Sicca Rupees per Annum will fully answer every Purpose, and maintain you with that Dignity which your Station requires. I am accordingly to acquaint you that you will hereafter receive the said Sum of Money for the Defrayment of your Expences; and I flatter myself that upon your attaining the Age of 21 Years, the Company will further consider your Situation, and make such an Addition to the present 15,81,991 9 Rupees as it may appear to them to require."

* Sic in Orig.

Read, also, the following Extract of a Letter from Mr. Hastings to the Nabob, dated 18th July 1772, beginning at Page 35 of the same Book.

"To the Nabob Mebareck ul Dowlah.

18th July 1772.

"In compliance with the Desire of the Council, I take the Liberty of writing to your Excellency on a Subject which immediately concerns your own Welfare and the Order and Economy of your domestic Affairs. They observe with great Concern, that notwithstanding the Notification from the Board to your Excellency by the Letter of Mr. Cartier so long ago as the Month of January last, of the Reduction of your Revenue to 16 Lacks, your Establishment and current Expences still continue on the Footing of your former Allowance. They think it therefore their Duty to remind your Excellency of this Reduction which at † it proceeds from the positive Orders of the Company, it admits neither of Recall or Mitigation. The Receipt of Mr. Cartier's Letter, which your Excellency regularly acknowledged, fixes the Date of its Commencement; it takes place from that Time." (a)

† Sic in Orig.

Read, also, the following Letter from Mr. Hastings to the Nabob, beginning at Page 39 of the same Book.

"To the Nabob Mebareck ul Dowlah.

Written 7th August 1772.

"I am favoured with the Letter of your Excellency, dated the 21st ultimo, in reply to that which I had the Honour to write you of the 18th.

"I have listened with all due Attention to the Representations you have been pleased to make on the Subject of the Reduction of your yearly Revenue, and the Circumstance of the Arrears due upon it: I must repeat to your Excellency, that the Orders of the Company are such as cannot be dispensed with by their Governor here; and concerning the Arrears, I have to request of your Excellency, that you would be pleased to issue your Orders to Jooderam, and the other Officers of the Nizamut, to prepare and deliver to me the Accounts of the Receipts and Disbursements of the Fund of 16 Lacks, yearly appropriated to the Pay and Expences of your Sepoys, Retinue, &c. according to which the Arrears shall be paid up to the 15th of the Month of Shawall; from which Time, agreeable to the Information given your Excellency in my former Letter, the new Arrangements are deemed to take place.

"I request of your Excellency, that you will give Orders that these Accounts be delivered without Delay, that I may be enabled, in conjunction with the Committee, to take such Steps for a new Arrangement of your Household, as may prevent in future Inconveniencies similar to those in which you are now involved."

Read, from Book 177, already delivered in, the following Extract of a Letter from Mr. Hastings to the Court of Directors, dated Fort William, 25th March 1775.

"Your Order for the Reduction of the Nabob's Stipend was communicated to him in the Month of December 1771. He remonstrated against it, and desired it might again be referred to

the Company. The Board tacitly acquiesced in his Remonstrance, and the subsequent Payments of his Stipend were made as before: I might easily have availed myself of this Plea: I might have treated it as an Act of the past Government with which I had no Cause to interfere, and joined in asserting the Impossibility of his defraying the vast Expence of his Court and Household without it; which I could have proved by plausible Arguments, drawn from the actual Amount of the Nizamut and Behla Establishments; and both the Nabob and the Begum would have liberally purchased my Forbearance. Instead of pursuing this Plan, I carried your Orders rigidly and literally into Execution. I reduced the Nabob's Stipend from the Date on which the First Notification of it was made to him: I undertook myself the laborious and reproachful Task of limiting his Charges from an Excess of his former Stipend to the Sum of his reduced Allowance; and I had the Satisfaction of viewing the Nabob in a State of Magnificence, suitable to his Dignity, within a Twelvemonth after, at Plaffey, where he had met me the Year before with every Appearance of Indigence and Meanness. For this too I can appeal to many Gentlemen of your Service who were Witnesses of the Nabob's Condition in both the Periods which I have related.

(Signed at the End of the Letter)

Warren Hastings." (a)

Then the Witnefs produced Book 7, intituled, "Bengal Secret Council, from 24th March to 31st May 1775."

Read, the following Extract of a Consultation of the 25th May 1775, beginning at Page 2,306 of the same Book.

"Fort William, the 25th May 1775.

"At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Thursday.

"Account current of the Nabob Mobarik ul Dowlah, from the Time of his Accession to the Musnud to the 16th August 1772 — C'.

"For annual Stipend due to him from 1st May 1770 to 16th August 1772, } 73,00,601 — —
at 31,81,860 per Annum, for 27 Months 16 Days, is — — —

"Fort William, 11th May 1775.

"(Errors excepted)

Signed Cha' Croftes,
Accompt. Gen. to the Revenue Dept." (b)

Read, also, the following Extract from the same Consultation, beginning at Page 2,307 of the same Book.

"Account current of the Nabob Mobarick ul Dowlah, from 17th August 1772, to the End of February 1775.

"For Amount of annual Stipend due to him, at the Rate of 31,81,860 per }
Annum, agreeable to the old Establishment, from 17th August to 31st } 11,84,359 — —
December 1772, is Four Months — — —

"Fort William, 11th May 1775.

"(Errors excepted)

Signed Cha' Croftes,
Accompt. Gen. to the Revenue Dept." (c)

Read, the following Extract of a Consultation of the 12th June 1775, from Book 11, already delivered in, beginning at Page 115 of the same.

"Fort William, 12th June 1775.

"At a Consultation; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Philip Francis, } Esquires.
Richard Barwell, }

Secret Dept.
Monday.

"The Board also recur to the Nabob's Account delivered in by the Accountant General to the Revenue Department in Consultation of the 25th ultimo.

(a) Vide Appendix, N° CVI.

(b) Vide Appendix, N° CVII.

(c) Vide Appendix, ibid.

" The Governor General informs the Board, that there appears to him a very material Error in the Account current with the Nabob, signed by Mr. Croftes, and now before the Board, Credit being therein given to the Nabob for his Stipend, according to the old Establishment, to the 31st of December 1772; whereas it was expressly settled by the Committee of Circuit in July or August 1772, at the Time that the Governor was with the Committee at Moorshedabad, that the reduced Stipend should take place from the Day on which the Nabob received the formal Notification of the Company's Orders on that Subject from Mr. Cartier, which was in December 1771 or January 1772; that he thinks this Mistake ought to be rectified before the Accounts are finally adjusted with the Nabob." (a)

Read, also, the following Extract from the same Consultation, beginning at Page 117 of the same Book.

" Agreed that the Mistake be notified to Mr. Goring, and that he be informed of the Day on which the reduced Stipend of the Nabob took place." (b)

Read, also, from the same Book, Page 118, and same Consultation, the following Extract.

" The following Letter is written to Mr. Goring in Conformity to the foregoing Resolutions.

" To Mr. Cha^r. Goring.

" Sir,

" But for the further Illustration of the Nabob's Accounts, we think it necessary to acquaint you of an Error in the Account signed by Mr. Croftes, wherein Credit has been given to the Nabob for his Stipend, agreeable to the Old Establishment, up to December 1772, whereas the Reduction to Sixteen Lacks should have taken Place from the 21st January 1772, the Day on which the Orders of the Company for that Reduction were notified to the Nabob." (c)

Read, from Book 12, already delivered in, the following Extract of a Consultation of the 4th September 1775, beginning at Page 138 of the same Book.

" Fort William, the 4th September 1775.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
Richard Barwell, } Esquires.
Philip Francis,

" Honourable Sir and Sirs,

" Indisposition preventing the Attendance of Mr. Croftes at the Office, I take the Liberty to acknowledge the Honour of your Commands transmitted the 16th instant, by your Assistant Secretary, under Date 13th. In compliance with the Spirit of which, (Want of Materials preventing Compliance with the Letter) I have drawn out the two accompanying Accounts, N^o 1 and 2; and First, stating the Nabob Mebareck ul Dowlah's Account with the Honourable Company, from the Period expressed in your Commands to the latest Periods possible, the 30th April 1775; the Second an Annual Account of Payments made to the Nabob, during the Periods that Mr. Middleton acted as Resident at Durbar, drawn up from his own Accounts as transmitted to the Presidency.

(Signed)

Rich^d Johnson,
D. A. Gen^l Rev. Dep."

Signed (at the End of the Consultation)

" Warren Hastings,
J. Clavering,
Geo. Monson,
R. Barwell,
P. Francis."

(a) Vide Appendix, N^o CVIII.

(b) Vide Appendix, *ibid*.

(c) Vide Appendix, *ibid*.

Read,

Read, also, the following Extract, from the same Consultation, beginning at Page 144 of the same Book.

“ D ^r . Nabob Mobarek ul Dowlah. C ^r .	
1772. January To Amount paid him by the Comp ^t Council of Re- venue at Moorshedabad, from this Date to the 8 Sept ^r . 1772 — — — 25,16,007 : 4 : 17 Balance due to the Nabob 4,17,817 : 5 : 16	1772. January 1 st . By Arrears due to him upon the old Establish- ment to this Date — — 19,24,935 : 12 : 8 : 1 Sept ^r 8 th . By Stipend agreeable to the new Establishment, from January 22 to this Date, making 7 Months, 17 Days — — — 10,08,888 : 14 : 4 : 3
S ^t Rupees 29,33,824 : 10 : 13 30 April 1775.	S ^t Rupees 29,33,824 : 10 : 13 Signed, at the End of the Account, Rich ^d Johnson, D. A. R. D.” (a)

Read, from Book 189, already delivered in, the following Extract of a Consultation of the 14th December 1772, beginning at Page 653 of the said Book.

“ Fort William, the 14th December 1772.
“ At a Consultation ; Present,
The Honourable Warren Hastings Esquire, President ;
Brigadier General Sir Robert Barker,
John Reed,
Thomas Lane,
Rich^d Barwell,
James Harris, } Esquires.
Mr. Reed, being returned from Madras, takes his Seat at the Board.
Messrs. Aldersey and Goodwin indisposed.
Mr. Lambert, being arrived at the Presidency, having taken the usual Oaths, is
admitted to his Seat at the Board.

Secret Dept.
Monday.

“ By the last Account you will please to observe, that there is a Balance due to his Excellency of Sicca Rupees 19,78,556 : 6 : 1 : 1, in Part of which an Advance was made by Order of the Committee, of Rupees 300,000, which reduces the Balance to Sicca Rupees 16,78,556 : 6 : 1 : 1 ; and I have since made another Payment of 5 Lacks ; and I hope to receive your Orders to pay off the Whole when the State of your Treasury here will admit of it.

Signed at the End,

“ Moidapore, Nov. 18, 1772.

Samuel Middleton.” (b)

Read, also, the following Extract from the said Consultation, beginning at Page 659 of the same Book.

“ The Nabob's Debt, as per his Account — — —	20,24,224 : — : 5
Deduct what was paid by his Treasurers, but what was omitted in his Account — — — — —	2,57,254 : 8 : 19 : 2
Total Amount of the Nabob's Debts —	17,66,969 : 7 : 5 : 2
Total Amount of the Nabob's Debts brought forward —	17,66,969 : 7 : 5 : 2
Balance due to the Nabob from the C ^o , as per his Account — — — 19,78,556 : 6 : 1 : 1	
Deduct paid to his Treasurers, but omitted in his Account — — — 2,57,254 : 8 : 19 : 2	
Due to the Nabob — — — — —	17,21,301 : 13 : 1 : 3
Deficient — — — — —	45,667 : 10 : 3 : 3
Nabob's Debts — — — — —	10,13,071 : 14 : 3 10,11,152 : 2 : 2
	20,24,224 : — : 5
Due from the Company — — — — —	19,78,556 : 6 : 1 : 1
Deficient — — — — —	0,45,667 : 10 : 3 : 3
Add Assignment on the Zemindars — — — — —	2,43,353 : 9 : 9 : 1
Overplus which the Nabob will have after discharging his Debts	1,97,685 : 15 : 5 : 2

(a) Vide Appendix, N^o CLX.

(b) Vide Appendix, N^o CX.

Apparent

Apparent Balance	—	—	—	—	—	19,78,556	:	6	:	1	:	1
Assignment unpaid	—	—	—	—	—	2,43,353	:	9	:	9	:	1
Actually due to the Nabob	—	—	—	—	—	22,21,909	:	15	:	10	:	2

“ Agreed that Mr. Middleton be directed to discharge the Arrears of the Nabob's Account, as well as of the others mentioned in his Letter, as soon as the State of his Cash will permit; and
 “ Ordered, That a Copy of these Resolutions, with a Copy of the Nabob's Account, be transmitted by our Secretary to Mr. Middleton for his Guidance.

“ Warren Hastings,
 R^r Barker,
 John Read.” (a)

To prove that the Accounts were regularly kept during the Government of Nudjum ul Dowlah and Sief ul Dowlah, but that during the Time of Mobarick ul Dowlah, the Account was a general Account of the whole Payments to the Nabob, without Date or Particulars;

Read, from Book 78, already delivered in, the following Extract of a Consultation of the 27th of December 1775, beginning at Page 448 of the same Book.

“ Fort William, the 27th of December 1775.

Secret D^{pt}.
 Wednesday.

“ At a Council; Present,
 The Honourable Warren Hastings, Governor General, President;
 Lieutenant General John Clavering,
 The Honourable George Monson,
 Philip Francis Esquire.

“ Read, the following Letter from the Sub accountant.

“ Agreeable to your Orders I was furnished with the Account currents with the Honourable Company, the Nabob Mobareck ul Dowlah, and his Predecessors Syef ul Dowlah, and Nudjum ul Dowlah, and have now the Honour to inclose for your Information the following.

(Signed at the End of the Letter)

“ Wm. Larkins, Sub-accountant.

(and at the End of the Consultation)

“ Warren Hastings,
 J. Clavering,
 Geo. Monson,
 Rich^d. Barwell,
 P. Francis.” (b)

Read, also, the following Extract of the same Consultation, beginning at Page 452 of the same Book.

“ Dr. Nabob Nudjum ul Dowlah—his general Account current with the Honourable Company.
 1765, April. “ To Campaign Operations.

“ For the Amount which he agreed to pay Monthly from the
 Death of the Nabob Meer Jaffier, as in Treaty, dated
 March 1765, from the 1st of February to the 30th April } 15,00,000
 1765, at 5,00,000 per Month — — —

1766, April.

To Nabob Jaffier Ally Cawn.

“ Account Monthly Payments for the Amount of Balance of
 that Head transferred — — — } 16,69,758 : 7 : 9

“ To Campaign Operations.

“ For the Amount due upon his Treaty of Five Lacks of
 Rupees per Month, for defraying the Expences of the
 Army, from the 1st of May to the 30th September 1765, } 25,00,000
 is Five Months — — —

Current Rupees 56,69,758 : 7 : 9

“ Fort William,
 27th Dec. 1765.

(Signed)

William Larkins,
 Sub-accountant.” (c)

(a) Vide Appendix, N^o CX.

(b) Vide Appendix, N^o CXI.

(c) Vide Appendix, ibid.

Read,

Read, also, the following Extract of the same Consultation, beginning at Page 456 of the same Book.

“ Dr. Nabob Syef ul Dowlah in Account current with the Honourable Company.			
	“ To Treasury.	S ^t . R ^s .	Curr ^t . R ^s .
“ 1766, May.	Paid him from 10th May 1766, to 10th April 1767, is Months 11 and 1 Day. Bengal Year 1173 — —	40,85,672 : 8 : 15 : 2	47,39,380 : 2 : 6
“ 1767-8, April.	D ^o . a 11th April 1767, to 10th April 1768. Bengal Year 1174	28,49,236 : 1 : 5	33,05,113 : 13 : 6
“ 1768-9, April.	D ^o . a 11th April 1768, to 10th April 1769. Bengal Year 1175	31,67,289 : 9 : 15 : 3	36,74,055 : 15 —
“ 1769-70, April.	D ^o . a 11th April 1769, to 20th March 1770, is Months 11 and 10 Days. Bengal Year 1176	24,15,193 : 9 —	28,01,624 : 8 : 6
	To Balance	1,25,17,391 : 12 : 16 : 1 2,56,916 : 4 : 17 : 3	1,45,20,174 : 7 : 6 2,98,022 : 14 : 9
		1,27,74,308 : 1 : 14	1,48,18,197 : 6 : 3
“ Fort William, 27th Dec. 1775.		Errors excepted. (Signed)	W ^m . Larkins, Sub-accountant.” (a)

Read, also, a further Extract of the same Consultation, beginning at Page 458 of the same Book, as follows :

“ Dr. Mobareck ul Dowlah, in Account with the Honourable Company.			
	“ To Khalsa Treasury.	S ^t . Rupees.	C ^t . Rupees.
“ For the Amount advanced him from the 21st March 1770, to 10th May 1775 —		1,26,64,306 : 6 : 12 : 3	1,40,90,595 : 7
“ Fort William, 27th Decem ^r . 1775.		Errors excepted. (Signed)	W ^m . Larkins, Sub-accountant.” (b)

The Managers for the Commons stated, they should next produce the Remarks of the Court of Directors upon the afore-mentioned Accounts.

Read, from Book 108, already delivered in, the following Extract of a Letter from the Court of Directors to the Governor General and Council at Fort William, in Bengal, dated 24th December 1776, beginning at Page 275 of the same Book.

“ Par. 28. The disordered State of the Finances of Mobareck ul Dowlah, and the Negligence of our late Administration respecting Accounts and Money Transactions with him, are Events so extraordinary, and likely to be attended with Consequences so very disagreeable, that we cannot pass them over without the strongest Animadversion.

“ 29. By the Report of our late President, and his Arrangement of the Nabob's Household, as it stands on Consultation in January 1772, we were led to hope that even from the reduced Stipend a considerable annual Saving would be made, and that our President's Recommendation and strict Injunctions to the Begum and to the Nabob's Duan, would have prevented any Deviation from that Arrangement.

“ 30. We find the Arrears due from the Company to the Nabob in January 1772, are stated at no less than Sicca Rupees 19,24,935, and that during the Residence of Mr. Middleton at Moorshedabad, from January 1772 to October 1774, the whole Amount paid to the Nabob was 69,90,680 Sicca Rupees.

“ 31. Your Sub-accountant states the Amount overpaid to the Nabob, from April 1772 to October 1774, at Rupees 17,85,893, which Sum we apprehend must include the Arrears above mentioned; but supposing this to be the Case, an empty Treasury and the Nabob's clamorous Creditors indubitably prove that an immense Sum has been misappropriated between January 1772 and October 1774; and from the Confusion of his Accounts, occasioned by the Want of a proper Officer near his Person to conduct the Affairs of his Household, though we have sufficient Proofs before us, that the Nabob's Domesticks and Attendants must have been deeply concerned in plundering their Master, we are aware that it will be very difficult to ascertain such particular Facts, as may enable him to bring them to Justice, and we fear it is utterly impossible to recover any Part of the large Sums embezzled or misappropriated.

(a) Vide Appendix, N^o CXI.

(b) Vide Appendix, ibid.

" 32. Notwithstanding such vast Sums have been carried to the Nabob's Account, over and above his Stipend, in so short a Space of Time, we observe, that in May 1775 there was not a Rupee in his Treasury, though there were Demands upon him to a large Amount. This Circumstance alone, were there no other Improproprieties in the Conduct of Munny Begum, would justify her Removal from the Office of Guardian to the Nabob; because it is evident, that under her immediate Superintendence, great Part of his Allowance must have been embezzled, or very grossly misapplied.

" 33. We are the more at a Loss to account for this immoderate Overpayment to the Nabob, because we observe on Country Correspondence a Letter from Governor Cartier, dated 7th January 1772, notifying the Reduction of his Stipend in the most formal and solemn Manner; and by a Minute of the Governor General on Secret Consultations of 12th June 1775, it appears that the Committee of Circuit absolutely determined that the said Reduction should take Place from the Time of such Notification.

" 34. The Resident at the Durbar, who has been the Principal Agent in this Business, could not be ignorant of the above Resolution, because he was a Member of the Committee; and it was the indispensable Duty of our President and Council, not only to have taken Care, that regular and frequent Accounts of the Advances made by the Resident at the Durbar to the Nabob were laid before them, but also of the Expenditure of his Stipend, which should have been transmitted to us for our Information; and we must conclude, that if they had done their Duty in this Respect, such unaccountable and extensive Errors could not have happened in the Accounts, the Effects whereof must operate to our Disadvantage, as we do not find that his Stipend will enable him to discharge the Debts he has incurred, and when we consider that the large Overplus paid to the Nabob has really been dissipated in his Infancy, and must either be a dead Loss to the Company, or tend to distress him exceedingly, by putting him under large Stoppages, though his real Wants are necessarily increasing, as he grows up to Manhood, we cannot but manifest our Resentment at the Conduct of those of our Servants, whose Remissness has, in this Instance, involved both the Company and the Nabob in such great Inconveniencies.

Signed (at the End of the Letter)

John Stables,
Frd^k Pigou,
R^d Hall,
W. G. Freeman,
Ja^s Moffatt,
Rich^d Beecher,
Samuel Peach,

John Roberts,
W^m James,
Daniel Weir,
Rob^t Gregory,
George Tatem,
George Cuming,
John Harrison."

To shew that Mr. Croftes was placed in the Department of Accomptant General by Mr. Hastings himself,

Read, from Book 189, already delivered in, the following Extract of a Consultation of the 29th August 1772, beginning at Page 496, in the same Book.

" Fort William, the 29th August 1772.

" At a Consultation; Present,
William Aldersey Esquire, President
Thomas Lane,
James Harris, } Esquires.
Henry Goodwin,
Mr. Barwell indisposed.

Secret Dept.

" Extract of the Proceedings of the Committee of Circuit, at Cossimbuzar, the 20th August 1772.

Page 510. " That it be recommended to the Board to confer this Office on Mr. Charles Croftes, the present Accomptant of the Board of Revenue, whose Diligence and Practice in that Business, and the particular Instructions of the Honourable the Court of Directors, justly intitles him to that important Charge."

Read, also, the following Extract of the same Consultation, from Page 519 of the same Book, as follows.

" The Board, concurring with the Committee of Circuit in the Propriety of the several Appointments abovementioned, resolve to confirm them; and there being no Person nominated as the additional Member of the Cossimbuzar Council to reside at Commercolly, and have Charge of the Districts thereunto annexed by the Committee.

Signed (at the End)

Rich^d Barwell,
W. Aldersey,
Thomas Lane,
James Harris."

To prove the further Degree of Favour and Confidence in which Mr. Croftes stood with Mr. Hastings at this Time, and that he conferred upon him another lucrative Office,

Read, from Book 183, already delivered in, the following Extract of a Consultation of 10th March 1773.

" Fort William, the 10th March 1773.

" At a Consultation; Present,

The Honourable Warren Hastings Esquire, President;

William Alderley,
P. M. Dacres,
Thomas Lane,
James Lawrell,
Henry Goodwin,
John Graham,
William Lambert,
Geo. Vansittart,

} Esquires.

Messrs. Reed and Barwell indisposed.

Pub. Dept.
Thursday.

" The Board proceed to take into Consideration the filling up the Vacancies occasioned at the Presidency by the Appointment of the new Collectors.

" Agreed the following Appointments be made.

" The Honourable Charles Stuart, Mint Master;
Mr. William Pawson, Military Paymaster General;
Mr. John Shakespeare, Secretary to the Select Committee;
Mr. Alexander Higginson, Import Warehouse-keeper;
Mr. John Hannay, Paymaster to the Works;
Mr. William Redfearn, Persian Translator;
Henry Vansittart, Assistant to ditto;
John Carmichael, Deputy Military Paymaster General;
John Davis, Commissary to the Troops in Garrison;
Henry Lodge, Clerk to the Commissioners of Commerce;
Mr. William Bruere, Sub Import Warehouse-keeper;
Robert Palk, Regulator of the Police;
Charles Croftes, Sub Treasurer;
William Cator, Accomptant to the Commissioners of Works."

Signed (at the End of the Consultation)

" Warren Hastings, H. Goodwin,
William Alderley, J. Graham,
P. M. Dacres, W. Lambert,
Thomas Lane, George Vansittart."
James Lawrell,

To prove, that immediately after the Death of Colonel Monson, when Mr. Hastings had a much greater Degree of Influence in the Council, he proceeded to grant a further Salary to Mr. Croftes in Addition to what he had given him before, and carried a Resolution that he should draw for that Salary for Two Years back, with Interest on that Part of it which had not been paid him,

The Witnesses produced Book 187, intituled, " Bengal Revenue, 29th November to 31st December 1776."

Read, the following Extract of a Consultation of the 6th December 1776, beginning at Page 203 of the same Book.

" Fort William, the 6th December 1776.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President;

Richard Barwell Esquire.

Lieutenant General Clavering indisposed.

Mr. Francis indisposed.

Rev. Dept.
Friday.

" Reconsidered Mr. Charles Crofte's Letter of the 23d December 1774, and entered on the Proceedings of the 15th August 1775.

Read, also, a further Extract of the same Consultation, beginning at Page 209 of the same Book, as follows:

" Mr. Barwell.—I move that the Office of Accomptant General be put on the same Footing as the Superintendent of the Khalsa Records, and that Mr. Croftes be allowed to draw henceforward the same Salary and House Rent, as is drawn by the Superintendent of the Khalsah.

" Governor General.—I agree.

" Resolved, That the Office of Accomptant General be put on the same Footing as the Superintendent of the Khalsah Records; and that Mr. Croftes be allowed to draw henceforward the same Salary and House Rent as is drawn by the Superintendent.

(Signed at the End of the Consultation)

" Warren Hastings,
Rich^d Barwell." (a)

Read, from Book 205 already delivered in, the following Extract of a Letter from the Governor General at Fort William to the Court of Directors, dated 10th January 1777, beginning at Page 591 of the same Book.

" Par. 3. In the 9th Paragraph of our Letter by the Shrewsbury, we acquainted you of our having placed the Office of Accomptant General to this Department on the same Footing with that of the Superintendant of the Khalsa Records. Mr. Croftes having applied to us to be allowed this Indulgence from the Date of his Application to the Board in December 1774, we have consented to grant him a conditional Bond for the Amount of his Arrears; that is, the Difference between his late Pay and Allowance, and the Allowance lately granted, from the 4th December 1774 to the 6th December 1776, bearing Interest at the Rate of 5l. per Cent. per Ann. from the 4th December 1776, payable on the 1st Day of August 1778; in case the Payment of it should not be forbidden before that Time by your Honourable Court.

Signed (at the End of the Letter)

" Warren Hastings,
J. Clavering,
Rich^d Barwell,
P. Francis."

To shew that Mr. Croftes, at the same Period of Time, was also added to a Commission for settling the Account of all the Lands throughout the Provinces,

Read, from Book 187 already delivered in, the following Extract of a Consultation of the 6th of December 1776, beginning at Page 210 of the same Book.

" Governor General.—Among the different Materials which will come before the Board for their Guidance in forming the ensuing Settlement, the accurate and distinct Accounts which are kept in the Office of the Accomptant General to the Revenue will form a considerable Part. These will require to be compared and elucidated with the Accounts which may be procured from the Districts. In this Branch of the Business I am desirous of obviating the Inconveniencies of frequent and formal Applications for Papers to the Accomptant's Office. I wish also to benefit by the Abilities and Knowledge of Mr. Croftes, which have been honoured with repeated Testimonies of the Company's Approbation, and from which, since the Removal of the Khalfah, I have derived essential Assistance; and I therefore propose that the Accomptant General to the Revenue Department be joined to the Gentlemen already appointed to prepare and arrange the Materials for a new Settlement, for the special Purpose of assisting in forming such Accounts as have a Reference to the Offices now under his Charge, and for the general Conduct of the Detail of the new Office, so far as his other Duties will permit.

(Signed) Warren Hastings."

" Agreed, That the Accomptant General be accordingly joined to Mess. Anderson and Bogle, for the Purposes mentioned in the Governor General's Minute.

Signed (at the End of the Consultation) " Warren Hastings,
Rich^d Barwell." (a)

To prove what was the Establishment of the Commission to which Mr. Croftes was appointed,

Read, the following Extract of a Consultation of the 12th November 1776, from Book 206, Page 445, already delivered in.

" Fort William, the 12th November 1776.

" At a Council; Present,

The Honourable Warren Hastings, Governor General, President;
Richard Barwell, } Esquires.
Philip Francis, }
Lieutenant General Clavering indisposed.

Rev. Dept.
Tuesday.

" The Governor General recommends the following fixed Establishment for the Office proposed in his Minute of the 1st instant.

" Establishment for the Office.

" Mr. David Anderson, } Superintendants, }
Mr. George Bogle, } at 1,200 R^s. each } 2,400

Signed, at the End of the Consultation,

" Warren Hastings,
Rich^d. Barwell,
P. Francis."

The Managers for the Commons stated, they had concluded this Head of Presumptive Evidence.

Then the House adjourned to the Chamber of Parliament.

Die Fovis, 14^o Maii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor acquainted the Managers for the Commons, they might proceed to make good their Charge.

The Managers for the Commons informed the House, they should next proceed to the Proof of the Receipt of Three Lacks and an Half of Rupees by Mr. Hastings, stated in this Article; and for that Purpose should produce the Charges made by Nundcomar before the Council, and the Evidence adduced by him in support of those Charges; introductory to which, they would lay before the House some Evidence to prove the Situation Nundcomar previously held, the Manner in which he had been employed by Mr. Hastings by the Order of the Court of Directors, and Mr. Hastings's inconsistent Conduct towards him.

Then Mr. ROBERT HUDSON was again called in; and produced the following Letter from the Secret Committee of the Court of Directors to Warren Hastings Esquire, dated the 28th of August 1771.

The same was read, as follows.

“ Sir,

“ By our General Address you will be informed of the Reasons we have to be dissatisfied with the Administration of Mahomet Reza Cawn, and will perceive the Expediency of our divesting him of the Rank and Influence he holds as Naib Duan of the Kingdom of Bengal. But though we have declared our Resolution in this Respect to our President and Council, yet as the Measures to be taken in consequence thereof might be defeated by that Minister, and all Enquiry into his Conduct rendered ineffectual, were he to have any previous Intimation of our Design, we, the Secret Committee, having the most perfect Confidence in your Judgement, Prudence, and Integrity, have thought proper to entrust to your especial Care the Execution of those Measures, which alone can render the Naib's Conduct subject to the Effect of a full Enquiry, and secure that Retribution which may be due on the Detection of any Fraud, Embezzlement, or collusive Practice, in his publick or private Transactions.

“ In order therefore to make him amenable to a due Course of Justice, and to prevent the ill Consequences which might result from the Resentment and Revenge which he may conceive on the Knowledge of our Intentions, we hereby direct and enjoin you (immediately on the Receipt of this Letter) to issue your private Orders for the securing the Person of Mahomet Reza Cawn, together with his whole Family, and his known Partizans and Adherents, and to make use of such Measures as your Prudence shall suggest for bringing them down to Calcutta; and it is our Pleasure, that they by no Means be suffered to quit the Place, until Mahomet Reza Cawn shall have exculpated himself from the Crimes of which he now stands charged or suspected, or shall have duly accounted for the Revenues collected by him in the Chucklah of Dacca, and have made Restitution of all Sums which he may have appropriated to his own Use, either from the Duanny Revenues, or the Nabob's Stipends, and until he also shall have satisfied the Claims of all such Persons, as may have suffered by any Act of Injustice or Oppression committed by him in the Office of Naib Duan.

“ As the Detection of any corrupt Practices of which Mahomet Reza Cawn may have been guilty, and the Retribution which in such Cases is to be required of him, are equally the Objects of publick Justice and the Company's Interest, we assure ourselves that you will sedulously endeavour to penetrate into the most hidden Parts of his Administration, and discover the Reality of the several Facts with which he is charged, or the Justness of the Suspicions we have of his Conduct.

“ In this Research your own Judgement will direct you to all such Means of Information as may be likely to bring to Light the most secret of his Transactions; we, however, cannot forbear recommending to you, to avail yourself of the Intelligence which Nundcomar may be able to give respecting the Naib's Administration; and while the Envy which Nundcomar is supposed to bear this Minister may prompt him to a ready Communication of all Proceedings which have come to his Knowledge, we are persuaded that no scrutable Part of the Naib's Conduct can have escaped the watchful Eye of his jealous and penetrating Rival.

" Hence we cannot doubt but that the Abilities and Disposition of Nundcomar may be successfully employed in the Investigation of Mahomet Reza Cawn's Administration, and bring to Light any Embezzlement, Fraud, or Malversation which he may have committed in the Office of Naib Duan, or in the Station he has held under the several successive Subahs; and while we assure ourselves that you will make the necessary Use of Nundcomar's Intelligence, we have such Confidence in your Wisdom and Caution, that we have nothing to fear from any secret Motives or Designs, which may induce him to detect the Mal-administration of one whose Power has been the Object of his Envy, and whose Office the Aim of his Ambition:—for we have the Satisfaction to reflect, that you are too well apprized of the Subtlety and Disposition of Nundcomar to yield him any Trust or Authority, which may be turned to his own Advantage, and prove detrimental to the Company's Interest.

" Though we have thought it necessary to intimate to you how little we are disposed to delegate any Power or Influence to Nundcomar, yet, should his Information and Assistance be serviceable to you in your investigating the Conduct of Mahomet Reza Cawn, you will yield him such Encouragement and Reward, as his Trouble and the Extent of his Services may deserve.

" In our General Advices we deemed it adviseable to mention only, that we had received Information of Mahomet Reza Cawn's having increased the Calamities of the Poor, during the Height of Famine, by a Monopoly of Rice and other Necessaries of Life. We were indeed restrained from an open Communication on this Subject, fearing the Consequences which might ensue from the Minister's Revenge, should he learn by whom such Accusation had been brought against him; but persuaded, as we are, of your Secrecy and Discretion, we herewith transmit to you Extract of a Letter from Huzzeramul to Robert Gregory Esquire, wherein Mahomet Reza Cawn is charged with a Crime of so atrocious a Nature; and we the rather advise you of Huzzeramul's Information, as we rely on your Endeavours to obtain full Evidence respecting the Truth of this Allegation, as well as of such others as are the Objects of the Scrutiny we have directed to be made into the Naib's Conduct.

" Sensible as you must be of the Importance of the Charge thus confidentially committed to you, we shall not seek to animate your Zeal for the Company's Welfare; but observe only, that, by the faithful Execution of the separate Trust reposed in you, you will at once render the Company signal and essential Service, and approve yourself worthy of the Opinion we have formed of your Judgement, Prudence, and Integrity, and which we have so fully manifested, in selecting you to preside in the Administration of the Government of Bengal.

" London,
28th August, 1771.

" We are,
Your loving Friends,

" Lau. Sullivan,
Fred^k Pigou,
Hen^y Savage,
J. Purling,
Geo. Dudley,
John Manthip,
John Harrison."

Read, from Book 190, already delivered in, the following Extract of the Proceedings of a Committee of Circuit of the 11th July 1772, beginning at Page 211 of the same Book.

" Coosimbazar, the 11th July 1772.

" At a Committee; Present,
The Honourable Warren Hastings, President;
Samuel Middleton,
Philip Milner Dacres, } Esquires.
James Lawrell, and
John Graham,

" The President proposes Rajah Goordafs, the Son of Maha Rajah Nundcomar, for the Office of Dewan to the Nabob's Household. The inveterate and rooted Enmity which has long subsisted between Mahomet Reza Cawn and Nundcomar, and the Necessity of employing the Vigilance and Activity of so penetrating a Rival to counteract the Designs of Mahomet Reza Cawn, and to eradicate that Influence which he still retains in the Government of this Province, and more especially in the Family of the Nabob, are the sole Motives for this Recommendation. The Honourable Company, in their Letter by the Lapwing, order, that both " Mahomed Reza Cawn, and every Person employed by or in Conjunction with him, or acting under his Influence, shall be divested of any further Charge or Influence in the Collections;" and they further direct, that a strict Scrutiny be made into his Conduct in the Exercise of his Office of Naib Soobah, from the Suspicion of his having been " equally unfaithful in the Discharge of that Trust."

" It is very evident from these Orders, that it was the Intention of the Court of Directors to make an entire Reformation in the Government of these Provinces, and to begin with the Abolition of that Authority which had been established in it during the Course of the last Seven Years. Indeed, if this had not been expressed, it must necessarily have been implied in their Commands; since it was not to be expected that a new Plan of Government could effectually take place while the Influence of the former subsisted. The same Man, 'till lately, had the Charge of the Nabob's Household, the sole Application of his vast Stipend, the Administration of Justice, and the Collection of the Revenues of the Province; in a Word, every Branch of the Administration was centered in the Person of Mahomed Reza Cawn. It is true that his Authority was much diminished in the Collections by the Institution of the Supervisors; but he still retained an Influence in most Parts of the Province; and on some his secret Power was even superior to that of the Supervisor. In the Direction of the Nabob's Household he acted without Check or Control; the Nabob's Servants were all of his Appointment, his Creatures and Dependants; these still continue in Charge of the Nabob's Person, and in Possession of his Mind, which they may be naturally supposed to bend to such Inclinations and Purposes as may best suit the Views and Interests of their Patron.

" These Reasons will justify the Nomination of a Man to supply the Place of the late Naib Soobah, who is known to be his most violent Opponent, and most capable of opposing him. It is not pretended that these Ends are to be obtained merely from the Abilities of Rajah Goordass; his Youth and Inexperience render him, although unexceptionable in other Respects, inadequate to the real Purposes of his Appointment; but his Father hath all the Abilities, Perseverance, and Temper, requisite for such Ends, in a Degree perhaps exceeding any Man in Bengal. These Talents heretofore made him obnoxious to Government itself, and therefore it might be thought unsafe to trust him with an Authority so near the Nabob, whom he might inspire with his own Ambition, and assist with the Means of carrying it to the most dangerous Extremes. It is possible that this might be the Case, were he immediately and formally intrusted with the Charge in Question; and therefore it is proposed to confer it upon his Son, who is of himself incapable of making a very bad Use of it, and to allow of his acting under the Influence and Instruction of his Father, who holding no Office under the Nabob, and being a Subject of our Government, may be removed without Éclat, or the least Appearance of Violence, whenever he shall be moved, or even suspected, to abuse his Trust, and apply it to Designs hurtful to the Interests of the Honourable Company.

" Warren Hastings."

" Mr. Middleton delivers in the following Minute.

" For the Reasons which have been so properly and powerfully urged by the President, I entirely approve of the Choice he has made in the Person of Rajah Goordass, as a Man the most eligible to superintend the Affairs of the Nabob's Household, and at the same Time to complete the Reformation which the Company have thought necessary to be made in the Government of this Country. Young and inexperienced himself, without that Temper of Mind which denotes Ambition, no Apprehensions need be entertained of his making an improper Use of the Authority with which he is invested; yet, directed by the Counsel of his Father, whose Abilities and Integrity to the late Naib Soobah are well known, he not only must be deemed capable of discharging all the Functions of his Office with Applause, but must appear particularly calculated to answer those Ends the Honourable Company have in View, by the total Suppression of that Influence which has hitherto been placed in the Person of Mahomed Reza Cawn; and this without any Danger that Schemes of Ambition will be formed by the Father himself, or if formed, without a Possibility of executing them, seeing that the Power from which his Consequence is only reflected will be so circumscribed, and wholly unable to screen him, on the least Breach of Confidence, from the just Repentment of those to whom he is indebted for the Degree of Consideration he holds.

" Saml. Middleton."

" Messieurs Dacres, Lawrell, and Graham, object to the Proposition of appointing Rajah Goordass, Dewan to the Nabob, and will assign their Reasons at a future Meeting. (a)

Read, also, the following Extract of the Proceedings of a Committee of Circuit, of the 26th July 1772, from Page 259 of the same Book.

" Cossimbazar, the 26th July 1772;

" At a Committee; Present,

The Honourable Warren Hastings Esquire, President,	
Samuel Middleton,	} Esquires.
P. Milner Dacres,	
James Lawrell,	
John Graham,	

" [Minute of Messrs. Dacres, Lawrell, and Graham.

" Messrs. Dacres, Lawrell, and Graham, lay before the Committee the following Minute, in Support of their Dissent from the President's Proposition for appointing Rajah Goordass, Dewan to the Nabob.

(a) Vide Appendix, N° XCV, supra.

" The Basis on which we object to the Appointment of Rajah Goordas to the Office of "Dewan of the Household, and Manager of the Nabob's Finances," is, because we esteem it in Effect the Appointment of Nundcomar, who, with respect to the various Accusations against his political Conduct, and the Orders which have been in Consequence received from the Honourable the Court of Directors, stands in such a Predicament, as to preclude, in our Opinion, an Acquiescence in the President's Proposition.] § (" We crave the Patience of the Committee to peruse those " Testimonies, faithfully collected from the public Records of our Government, on which we " ground this Opinion.

" Extract from the Company's General Letter to their President and Council, dated 22d February 1764.

Extracts relative to Rajah Nundcomar.

" Par. 37. From the Whole of your Proceedings with respect to Nundcomar, there seems to be " no Doubt of his endeavouring by Forgery, and false Accusations, to ruin Ram Churn; that " he has been guilty of carrying on Correspondence with the Country Powers, hurtful to the Com- " pany's Interests, and instrumental in conveying Letters between the Shazada, and the French " Governor General of Pondicherry; in short, it appears he is of that wicked and turbulent Dis- " position, that no Harmony can subsist in Society where he has the Opportunity of interfering. " We therefore most readily concur with you, that Nundcomar is a Person improper to be trusted " with his Liberty in our Settlements, and capable of doing Mischief, if he is permitted to go " out of the Province, either to the Northward or to the Deccan. We shall therefore depend upon " your keeping such a Watch over all his Actions as may be * Means of preventing his disturb- " ing the Quiet of the Public, or injuring Individuals for the future."

* Sic in Orig.

(Signed at the End)

§

" Warren Hastings,
P. M. Dacres,
James Lawrell,
J. Graham." (a)

Read, also, the following Extract of the Proceedings of a Committee of the 28th of July 1772, from Page 282 of the same Book.

" Coosimbazar, the 28th July 1772.

" At a Committee; Present,
The Honourable Warren Hastings, Esquire, President;
Samuel Middleton, }
P. Milner Dacres, } Esquires.
James Lawrell, }
John Graham, }

" The President delivers in the following Minute.

The President's Minute in support of Rajah Goordas.

" The President feels a Reluctance to dwell any longer on a Subject which has divided the Opinions of the Committee, and already engaged too much of their Attention; but he thinks it incumbent upon him to say something in reply to the Objections which have been made to his Proposition, because he apprehends that a very different Conclusion may be fairly drawn from the Arguments which have been urged against it. His own Inclination will induce him to confine himself within the same Bounds of Candour and Moderation, which the Gentlemen who differ from him in Opinion have so properly chosen, and which ought to be invariably adhered to, where the End sought by all is the Public Good, and the only Disagreement is the Mode of attaining it.

" The President has already declared, that he meant, by the Appointment of Rajah Goordas, that this Government should avail itself of the Abilities of Rajah Nundcomar for the Purposes assigned; but it was his declared Intention to exclude him from any formal Trust in the Nabob's Service, in order to guard against any Attempts which might be apprehended from his Intrigues; thus leaving the Government at Liberty to recall him whenever he shall be suspected of applying the Opportunities afforded him to ill Purposes, without giving Umbrage to the Nabob, or leaving him a Pretence to screen him from our Authority.

" The President does not take upon him to vindicate the moral Character of Nundcomar; his Sentiments of this Man's former political Conduct are not unknown to the Court of Directors, who, he is persuaded, will be more inclined to attribute his present Countenance of him to Motives of Zeal and Fidelity to the Service, in Repugnance perhaps to his own Inclinations, than to any Predilection in his Favour. He is very well acquainted with most of the Facts alluded to in the Minute of the Majority, having been a principal Instrument in detecting them; nevertheless he thinks it but Justice to make a Distinction between the Violation of a Trust and an Offence committed against our Government, by a Man who owed it no Allegiance, nor was indebted to it for Protection, but, on the contrary, was the Minister and actual Servant of a Master, whose Interest naturally suggested that Kind of Policy, which sought by foreign Aids, and the Diminution of the Power of the Company, to raise his own Consequence, and to re-establish his Authority. He

has never been charged with any Instance of Infidelity to the Nabob Meer Jaffer, the constant Tenor of whose Politics, from his first Accession to the Nizamut till his Death, corresponded in all Points so exactly with the Artifices which were detected in his Minister, that they may be as fairly ascribed to the one as to the other; their immediate Object was, beyond Question, the Aggrandizement of the former, though the latter had ultimately an equal Interest in their Success. The Opinion which the Nabob himself entertained of the Services and of the Fidelity of Nundcomar, evidently appeared in the distinguished Marks which he continued to shew him of his Favour and Confidence to the latest Hour of his Life.

" His Conduct in the succeeding Administration appears not only to have been dictated by the same Principles, but, if we may be allowed to speak favourably of any Measures which opposed the Views of our own Government, and aimed at the Support of an adverse Interest, surely it was not only not culpable, but even praise-worthy. He endeavoured, as appears by the Abstracts before us, to give Consequence to his Master, and to pave the Way to his Independence, by obtaining a Firman from the King for his Appointment to the Subaship; and he opposed the Promotion of Mahomed Reza Cawn, because he looked upon it as a Supercession of the Rights and Authority of the Nabob. He is now an absolute Dependant and Subject of the Company, on whose Favour he must rest all his Hopes of future Advancement.

" But whatever may have been the Conduct of Rajah Nundcomar in a different Station, and on former Occasions, the President cannot form an Idea of any Danger, to which the Company's Interests can be exposed, by his Influence with his Son in the Office which is now proposed for the latter. No Situation of our Affairs could enable the Nabob, or any Person connected with him, to avail himself, by any immediate or sudden Act, of the slender Means which he has left to infringe our Power or enlarge his own; he has neither a military Force, Authority in the Country, foreign Connections, nor a Treasury. A Design of such a Nature (if ever practicable) can only take Effect by a long Train of concerted Events, and must be the uninterrupted Work of Years; but as it has been repeatedly remarked, the Father having no Trust or Authority, nor the Son Abilities equal to so great an Enterprize, the slightest Suspicion will be sufficient to remove the former, and frustrate every Hope of the Kind for ever.

" With respect to any other Person who may be nominated for this Charge, the President declares, that he has fixed his Choice upon Rajah Goordas, from the thorough Conviction that no other will be found equally qualified to answer the particular Purposes of that Appointment.

" To conclude.—At a different Season, and under other Circumstances, the President would acquiesce in the Arguments which have been urged against his Recommendation. He should be very sorry to see Nundcomar become the Minister of a rival Power, because of his Abilities; he thinks they may be most usefully employed in the Service of our own Government.

Warren Hastings."

To shew that Mr. Hastings, for the first Time, began to attack the Character of Nundcomar, when he first apprehended that Nundcomar would make a Charge against him,

The Witness produced a Duplicate of a Letter from the President to the Secret Committee of the Honourable the Court of Directors for the Affairs of the Honourable United East India Company.

Read the same, as follows.

" Fort William, the 24th March, 1774.

" Gentlemen,

" Although the Proceedings of the Board contain, very minutely recorded, all the Measures which were taken for prosecuting the Enquiry into the Conduct of Mahmud Rizza Cawn, and my own Sentiments, both in the Course and Issue of it, are therein inserted at large; yet, as I was originally honoured with your especial Commands for conducting this intricate Business, I conceive it to be in some Measure incumbent upon me to address you on its Conclusion, that I may account for any apparent Deficiency, by stating the Difficulties which I have had to encounter in the Discharge of it. I will speak first of that Charge which was more particularly the Object of your Attention and of our Enquiry, I mean the Monopoly of Grain.

" You will be pleased to recollect that the Charge was general, without any Specification of Time, Places, or Persons. I had neither Witnesses, nor Vouchers, nor Materials of any Sort to begin with; for these I relied chiefly on the Abilities, Observation, and active Malignity of Mah Rajah Nundcomar; but not resting wholly on his Aid, I took such other Precautions as were most likely to produce Informations against Mahmud Rizza Cawn, if his Conduct had really merited that Return from the People of this Country. In Concurrence with the Committee of Circuit at Cossimbuzar, and with the Council here, I published Advertisements, inviting all Persons to give Information against such as had contributed to the Distresses of the Country, in the Time of the Famine, by the Monopoly of Grain, or any other unfair Practice on the Wants and Necessities of the People. I allowed all who had any Thing to offer on these Subjects to have Access to me; and although I never had much Time to spare, I patiently bestowed many Hours,

and even Days of it, in listening to the multiplied but indefinite Suggestions of Nundcomar : in a Word, I omitted no Means, which were consistent with my Character, to bring the Truth of this Accusation to Light.

" In the Course of the Enquiry I proceeded with the most rigid Impartiality, not suffering, I can safely say, the smallest Bias to incline me. You will see with what Materials I was furnished ; I am sorry to say, that some were collected with so little Decency and Regard to Truth, as to make me apprehensive of the Effects which they might have produced on my Character, from the Countenance which I afforded to the principal Agent in the Prosecution, had I not in my own immediate Conduct invariably adhered to the strictest Rule of Justice. My Judgement was formed with the same Temper of Mind ; and I continue in the Persuasion, that it will be found perfectly consistent with the Evidence before me, which cost me much Labour and Attention, in the Midst of continued Interruption, to collect from the Records of near Thirty different Examinations.

" I informed Rajah Huzzoorymul with the Reference which you had been pleased to direct me to make to him for the Facts on which his Information, a Copy of which I received in your Commands by the Lapwing, was grounded. He came several Times to me, with the express Purpose and Promise of entering into a full Communication of the Subject, and brought with him an old and respectable Merchant of this City, since deceased, who he said was equally apprized of these Circumstances with himself, to aid him in his Informations ; but after much timid Hesitation, mutual Reference, and Procrastination, they both at length declined it, nor could I ever obtain the smallest Intelligence from either. I should be sorry if this Report were to give you an unfavourable Opinion of Rajah Huzzoorymul ; I can truly affirm I know not a Man of a more guarded Conduct, or a more conscientious Integrity. Either the Fear of the Consequences affecting his Character restrained him from avowing what he knew, or, which I think more likely, he was misled by the Clamours of the People in the Information which he originally gave to Mr. Gregory.

" With respect to the Accounts of the Nizamut, and the Balance said to be due from Mahmud Rizza Cawn for the Collections made by him at Dacca, during the Lifetime of Jaffier Ally Cawn, ~~he was~~ certainly more in the Power of Nundcomar than of any other Person to furnish me with the full and most authentick State of both. Besides an official and practical Knowledge which he had of the Nature of the former, of which at one Time he had the entire Management, he had at this Time the Command of all the Accounts of the Nizamut through the Means of his Son Raja Goordass, who is the Dewan of that Office.

" He possessed the entire Confidence of the Nabob Meer Jaffier at the Time in which Mahmud Rizza Cawn was employed as Agent for the Dacca Collections, and had actually entered into a Scrutiny of his Conduct during the Life of that Nabob, which Scrutiny produced the Balance now appearing against him.

" All the Accounts on these Heads which I have ever received from Maha Raja Nundcomar stand upon Record, and they are such as appear more calculated to acquit Mahmud Rizza Cawn than establish any Proofs against him. Indeed he has lately offered to furnish me with very minute Accounts of the Dacca Collections during the Period of Mahmud Rizza Cawn's Agency ; but these were not put into my Hands until the Enquiry was closed, although he had taken other indirect Means, I know not why, to bring them to the Notice of the Board ; and as to the Nizamut Accounts, although I have used every Means, for upwards of Ten Months past, both with him and his Son, which could operate either on their Hopes or Fears, to obtain them, they were not delivered till the latter End of January last, accompanied with the Promise of a separate Proof of Embezzlement in the Article of Exchange, which, after fresh Importunity both from myself and from the Board, was transmitted so late, that they arrived only on the 10th of January ; nor did these, more than any other Paper furnished by Nundcomar, afford any Thing like Proofs, but only reiterated Charge, without One Voucher, or the least Aid that might direct us to one.

" I am at a loss to discover the secret Spring which governs the mysterious Conduct of this Man, as I am certain he is impelled by nothing less than a Desire to favour Mahmud Rizza Cawn. It might suit well with his private Views to procrastinate the Issue of the Enquiry, although it would be little consistent with the Credit or Justice of your Administration to prolong it to a further Period, Two Years having been already consumed in bringing it to a Close on our Proceedings. Many Attempts indeed were made by Nundcomar, both in the Course of this Affair, and in the Examination of Mah Rajah Shitabroy, to obtain a formal Commission for making a personal and local Inquisition into the Accounts of the Collections depending on both. This I disapproved ; knowing that such a Power might be converted, and believing that in his Hands it would be converted, to Purposes very detrimental to the Revenue, and oppressive to the People : It was proposed to the Board, and by them peremptorily refused.

" Notwithstanding the Consciousness which I possess of my own Integrity, and the Certainty that my Conduct throughout this ungrateful Business will, on the most rigid Scrutiny, do me Credit, yet I am not without my Fears. I am aware of the violent Prejudices which were taken up at once against Mahmud Rizza Cawn by all Ranks of People both here and at Home ; I am also aware, that in England, where the very Name of Enquiry into the past Management of Affairs in India flatters the Passion of the Times, and raises Expectations of great and important Discoveries, the Result may balk those Expectations, and turn the Torrent of public Clamour another Way.

Way. In many of the private Letters which I received from my Friends in England, I was warned to act with the greatest Caution in this Enquiry, as the Confirmation of my Credit with the Public, and, forgive me for adding, with your Honourable Court, depended upon it.

" The Magnitude of the Charges alledged against Mahmud Rizza Cawn, his reputed Wealth, the Means which that afforded him both of suppressing Evidence, and even of influencing his Judges in his Favour, and the natural Conclusion deducible from so many exaggerated Accusations, that some Part of them at least was true, gave additional Force to these cautionary Intimations, and made me fear for the Consequences; not only as they might affect my Reputation, which it has been the Study of my Life to maintain unblemished, but as they might blast all my Hopes from the Continuation of your Favour, which I hold solely on the Credit of my Integrity.

" It is possible that, on a Review of the Proceedings, you may find some critical Circumstances disregarded, some Facts of Consequence not sufficiently traced through all their Connexions or dependent Events, by which the Truth might have been more successfully followed. I can only say, that I have never quitted this Prosecution but for Affairs of greater Moment; and although I ever bear the most respectful Deference for your Commands, and have never suffered my Zeal to slacken in their Execution, yet I must candidly own, that I never gave up a Portion of my Time to this Business, without feeling a painful Regret that so much of it was lost to the Care of your real Interests; and how much I have bestowed of it on that, your Records, in the various Departments over which I preside, will abundantly testify.

" I must declare that I have another Motive for my Fears; the dark and deceitful Character of Nundcomar, whose Gratitude no Kindness can bind, nor even his own Interest disengage him from the crooked Politicks which have been the Study and Practice of his whole Life. Of this I have had many very extraordinary Proofs; I shall instance only Two, as most expressive of his ruling Character.

" Before my Departure from Fort St. George, when my Appointment to this Presidency was known, a Messenger, expressly deputed from Munny Begum, came to me there with Letters, entreating my Protection, in the most earnest Terms, both for her House and for the People of Bengal, against the Tyranny of Mahmud Rizza Cawn, and referring me for further Information to Mah Raja Nundcomar, from whom I received similar Addresses on the same Subject. The Begum has since solemnly disowned her having ever written such Letters, or authorised such a Commission.

" A very short Time after the Elevation of his Son to the high Office which he now possesses as Dewan to the Nabob, Nundcomar sent Draughts of Letters to the Begum, which he recommended to her to write to me, enumerating the many Encroachments which had been made by the English Government on the Rights of the Nizamut, and reclaiming them for the Behalf of the Nabob. Copies of these Draughts, communicated to me by the Resident, Mr. Middleton, and by other Channels, are actually in my Possession.

" I trust to his own Genius to furnish you with nearer Proofs in the Representations which he has already made, or which he may at this Time convey to your Knowledge.

" My Experience of his Character has never altered my Behaviour to him, but in such Instances only, and such have occurred, as required it for the publick Tranquillity. I have supported the Authority of Rajah Goordas, even in Opposition to the Begum, because it was consistent with the Credit and Sanity of your Administration, that the System which it had been thought proper, on well-considered Grounds, to appoint, should be steadily supported.

" I have also, in many little Instances, by my Countenance, assisted the personal Influence of Maha Raja Nundcomar, and I have endeavoured to turn both his good and bad Qualities to Account for the Advantage of the Honourable Company, in such Occasions as could admit of the Application of either; but I must say, that I have been disappointed in all my past Expectations from him, and do not promise myself much Benefit from his Abilities in Time to come, as the Scene on which he had the fairest Opportunity of displaying them is now closed.

" Whatever your Resolution may be concerning the future Fate of Mahmud Rizza Cawn, it is my Duty, although I believe it unnecessary, to represent, that whatever Reparation you may think due for his past Sufferings, the Restoration of any Part of the Power which he before possessed will inevitably tend to the Injury of the Company's Affairs, and the Diminution of your Influence and Authority.

" There can be but One Government and one Power in this Province. Even the Pretensions of the Nabob may prove a Source of great Embarrassment, when he is of Age to claim his Release from the present State of Pupilage, which prevents his asserting them.

" I have the Honour to be,

Gentlemen,

Your most obedient and

most faithful Servant,

Warren Hastings."

The Managers for the Commons stated, that they would next produce a Charge made by the Rajah Nundcomar against the Defendant, of his receiving Three Lacks and an Half for the Appointment of Munny Begum to be Guardian to the Nabob.

Read,

Read, from Book 9, already delivered in, the following Extract of a Consultation of the 11th March 1775, beginning at Page 1331 of the same Book.

“ Fort William, the 11th March 1775.

Secret Dep.
Saturday.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Philip Francis Esquire.
Mr. Barwell indisposed.

§ (“ Read and approved the Consultation of the 8th instant.

Mr. Francis
brings a Letter
from Nund-
comar accus-
ing the Go-
vernor.

“ Mr. Francis begs Leave to inform the Board, that he this Morning received a Visit from Rajah Nundcomar, in which the Rajah delivered to him a Letter addressed to the Governor and Council, and demanded of him, as a Duty belonging to his Office, as a Councillor of this State, to lay it before the Board.—Mr. Francis conceiving that he could not, consistently with his Duty, refuse such a Letter at the Instance of a Person of the Raja's Rank, did accordingly receive it, and now lays it before the Board, declaring, at the same Time, that he is unacquainted with the Contents of it.—Mr. Francis further begs Leave to observe, that he received this Letter publickly in the Presence of a considerable Number of Persons, and that the Rajah's verbal Request was interpreted to him by Three different Persons.

“ (Signed) P. Francis.

“ Opened and read the Letter from Mah Rajah Nundcomar delivered in by Mr. Francis, which is as follows :

“ To the Honourable Warren Hastings Esquire, President and Governor, &c.
“ Superior Council of Fort William.

“ Honourable Sir, and Sirs,

“ At the Time that Meer Mahomed Caufim Khawn, having massacred and made Prisoners many of the English, had acquired a Superiority, and the Nabob Meer Mahomed Jaffier Khawn, thinking himself unprepared, refused to enter into a War with Meer Caufim, in Compliance with the English Gentlemen's Desire, I endeavoured by every Method to persuade Nabob Jaffier Khawn to this Step : I engaged myself to provide the Supplies of Money, to levy the Troops, to assemble the Zemindars ; and, in short, to perform every requisite Part. Having by this at length prevailed upon the Nabob to join the English, and engage in the War, Meer Mahomed was driven out of the Province, and an Advantage gained over Sujah Dowlah, who had espoused his Cause. At this Juncture, I obtained from his Majesty the King Shaw Allum the Subahs (of Bengal, &c.) for the Nabob Jaffier Ally Khawn : During the Nabob's Lifetime, I faithfully transmitted to the King the Amount agreed upon for his Royal Revenues : I honestly paid the Company, the English Army, and the Marrattas, the Sums severally stipulated to them, and the Nabob the Sums requisite for the Support of his own Troops, and the Dignity and Expences of the Nizamut ; and I provided the Supplies of Grain which, at that Time, was attended with great Difficulty. After Jaffier Ally's Death, and the Succession of Nabob Nudjum ul Dowlah to the Nizamut, a Party of the English Gentlemen deprived me of the Office I possessed, in the Business of which I was well versed, and, for Views of private Advantage, raised Mahomed Reza Khawn to the Post. For the Space of Seven Years Mahomed Reza managed the Affairs of the Subah of Bengal ; what the Measures were which he pursued in the Administration of the Country, the Balances which he fraudulently wrote off, his Violence and Oppressions upon his own Master and upon the Ryatts, and his Trade in Grain, by all which his Master's House and the whole Country were desolated, are well known to all. Whenever a just Enquiry shall be made, such will be found to have been his Conduct. I have now been Ten Years out of Employment. Mahomed Reza Khawn ardently wished during the whole Time of his Ministry to discover some Fault of mine in the settling the Business of the Country, or some Fraud or Delay in the Method of transacting it. As nothing of the Kind had been committed by me, he was able to produce nothing. Whoever occupies a great Post, as well as faithful Adherent, undoubtedly meets with discontented and turbulent Men. The utmost Search which Mahomed Reza Khawn could make, could not produce a single Man who would lay his Complaint against me. When Mr. Hastings arrived from Madras and entered upon the Government, he promised me his Friendship, and engaged me to assist him in regulating and adjusting the Business of the Country. The Part I acted upon this Occasion will hereafter appear in the Course of this Narrative. When General Clavering and Colonel Monson and Mr. Francis arrived from England, appointed Councillors for the Government of this Country, the President Mr. Hastings introduced many of the Natives who had Employments in the Country to those Gentlemen, and likewise gave Permission to many others to pay their Respects to them. At the Expiration of a Week after their Arrival, I begged of the Governor that he would introduce me : The Governor answered, that he was well assured that I had a Friend who was his Enemy that acted as Messenger from me to those Gentlemen : “ You have con-

“ tracted,

“tracted, said he, a Friendship with my Enemy, procure an Interview by his Means;” and he concluded with this Menace, “I shall pursue what is for my own Advantage, but in that your Hurt is included; look to it.” I replied with begging that he would not give Credit to the Slanders of Mr. Graham against me, who was my Enemy. The Affair remained for some Time in this State; afterwards the Governor sent Mr. Elliott with me to introduce me to General Clavering, Colonel Monson, and Mr. Francis. I continued after this to pay my Respects from Time to Time as usual to the Governor, and sometimes to the other Three Gentlemen. On Tuesday the 29th of Poofs I waited upon the Governor, and found Mr. Graham and the Governor in Conversation together. When Mr. Graham had taken his Leave, the Governor called me to him and said, “I am certain that you are acting the Part of an Enemy towards me, I shall hereafter be your Enemy here, and shall not cease to be such even in Europe; you must not come near me from this Day; go and do me the utmost Evil in your Power.” I begged of him coolly and impartially to consider the Justice of this Declaration, and told him that till he had, I should take Care not to visit him. I left him upon this, conceiving that what he had said proceeded from a Gust of Passion, and that he would not seriously determine upon effecting my Ruin. Since this, Juggut Chund, whom I have educated from a Child and patronized, who even now enjoys the Office of Naib to my Son Rajah Goordas, with the most abandoned Undutifulness has been seeking to injure myself and Rajah Goordas. He is now come to Calcutta without Order of Council, and contrary to Rajah Goordas’s Desire, and he has never yet even been to visit me. This Person is admitted to hold Council with the Governor. And Mohunpershaud, whose Villainy and lying Intrigues are known to both the English Gentlemen and the Natives throughout this City, who is my inveterate Enemy, and whom the Governor formerly turned out of his House, and forbid him to appear there again, is now recalled into his Presence, is presented with Pān by him, and assured of his Protection. Mohunpershaud is admitted by the Governor to private Conferences both in Town and at his Gardens, and likewise frequently comes to Juggut Chund’s House, and holds Consultations with him. What Title from Rank or Fidelity have these to such intimate Connection with the Governor? What other Title have they than their Enmity and Malevolence to me? I have no Power in this Country: Mr. Hastings is the Superior of all. The Goodness of God is the only Defence I have against the declared Hatred of such an Enemy. I esteem my Honour dearer than my Life, and I am not insensible of the Injury my Character may suffer from the Discoveries I am about to make; but greater Disgrace attends my Silence, and I am left without a Choice. I shall therefore request your Attention to the following Account of some few Parts of the Governor Mr. Hastings’s Conduct in the Course of his Government.”)

“[When Mr. Hastings arrived in Bengal from Madras, and entered upon the Administration of Affairs, he told me, that he was well assured of the Embezzlements and Malpractices of Mahomed Reza Khawn and Rajah Shitabroy, and desired that I would assist him in the Intention he had of removing them from their Employments, and prepare a Statement of their respective Accounts. He further added, that he would cause me to be appointed by Council, Aamin over the whole Country; and that Mahomed Reza and Shitabroy should appear before me, and render to me the Accounts of their Provinces. “I will delegate to you,” said he, “my whole Power and Influence.” Depending upon this Declaration, I readily lent the Assistance in my Power; and Mr. Hastings, having summoned Mahomed Reza and Rajah Shitabroy to Calcutta, directed me to draw out an Account of their Embezzlements, which I accordingly did, and gave to him.

“Exclusive of Embezzlements from the Jewels, and on Account of Elephants, Horses, Sheep, and from the private Treasury, the Accounts of the Embezzlements of Mahomed Reza Khawn in the Nizamut, from the Commencement of the Bengal Year 1172 to the Conclusion of the Bengal Year 1178; and in the Province of Dacca, from the Bengal Year 1170 to 1177, are both together stated at 2,02,28,958 Rupees, and upwards. Besides this, the Sum of 13,00,000, Balance of Accounts due, by his Agreement with the Company, for Districts under his Direction within the Years 1172 and 1178, he has fraudulently written off as outstanding, and has himself embezzled. The Sum total of this Account, delivered by me to Mr. Hastings, amounted to 3,05,26,957 and upwards. I likewise brought to him Persons who were preferring their Complaints against Mahomed Reza Khawn, on Account of Injuries committed by him in the Purchase and Sale of Grain. Mahomed Reza, upon this, sent a Messenger to me, proposing a Present of Ten Lacks of Rupees to Mr. Hastings, and Two Lacks to me; and that these Enquiries should be stopt. I acquainted Mr. Hastings with this Proposal. He made answer, That he could not suspend an Enquiry for the Amount of Crores of Rupees, for such a Sum; and that it was proper the Government’s Money should be recovered; and added, that he should not release him from Confinement till the Points in Question were decided upon. He said no more to me; but after a few Days he took the Guards off Mahomed Reza Khawn, set him at Liberty, entirely dropt the Enquiry into his Embezzlements and Malpractices, and did not do Justice to the Complainants against Mahomed Reza, who had proved in Council their Charge on the Affairs of the Sale and Purchase of Grain, to whom he adjudged no Damages. Why this extraordinary Favour was so suddenly shewn, the Governor can best assign the Reasons.

“Reza ul Dien Mahomed Khawn, and Mahomed Alley Khawn, on Account of the Offices of Fogedars of Hoogley and Silut, and Amul of Nudia, were accountable to the Company for

Lacks of Rupees; yet upon their Decease Mahomed Reza seized the Whole of their Estates, and delivered no Part to the Company. In the Bengal Year 1181 Mahomed Reza threw Amarut Sing, his own Mutsuddie, into close Confinement at Calcutta, and extorted large Sums from him. Gopaul Sing was the Ameel of his Jagheer, and received from him annually a general Release under his own Seal, and which he has now in his Possession: Notwithstanding this, Mahomed Reza has thrown him into Prison, and demands Money from him to a great Amount: He suffers great Severities from Mahomed Reza in his Confinement, but nobody listens to his Complaints. The Governor, Mr. Hastings, formerly said to me, that as the Jagheer of Mahomed Reza was merely annexed to the Post of Naib of the Nizamut, it should be taken from him: This is now the Third Year since he has been deprived of that Post; but the Jagheer, which is a very large Income, has not been remanded. Why the Company should be deprived of so considerable a Sum, as the Amount of this is, from the Time of Mahomed Reza's Dismission from the Niabut, it remains with the Governor to explain.

" I delivered to Mr. Hastings an Account of the Embezzlements of Shitabroy from the Commencement of the Year 1173, to the Conclusion of the Year 1181 of the Fussil Æra, stated at the Sum of more than 90 Lacks of Rupees. When the News of this reached Maha Rajah Durudge Narain, at Moorshedabad, he sent a Vackeel with Letters to the Governor and Mr. Reed, and myself, containing his Proposals, that from the 90 Lacks demanded from Shitabroy, a Deduction should be made of 30 Lacks for Deaths and irrecoverable Balances; and he would himself discharge the remaining 60, on Condition that he should be put into Shitabroy's Post; and that, in future having rendered the Country more flourishing, he would give to Government a still greater Revenue. When Rajah Shitabroy heard of this Proposal, he told me and likewise sent me Word that he was ready to give Four Lacks to the Governor Mr. Hastings, and One to me, and Fifty thousand Rupees to Mr. Reed, if the present Demand for his Accounts were put a Stop to. I acquainted the Governor with what Shitabroy said: He answered that it was proper the Money of the State should be recovered without any Views of this Kind. In Conclusion, Mr. Hastings, without recovering the Company's Money, and without informing me of his Intention, reinstated Rajah Shitabroy, and returned him to Moorshedabad with high Honours. The Motives of these Proceedings, and why Maha Rajah Durudge Narain's Proposals, apparently so much for the Company's Advantage, were rejected, will best be understood from Mr. Hastings himself.

" The Sum of 25,000 Rupees is the stated annual Salary of the Mutsuddee of the Khalsa Sheriff, to be paid in ready Money, and by Jagheer. Why Raja Raje Bullub enjoys a Salary of 5,000 Rupees per Month, exclusive of District of Dewan Gunge, the Produce of which is very considerable, and how the Company's Interest was in this consulted, remains with Mr. Hastings to explain.

" At the Time Mr. Hastings was going to Benares, he desired me to give him an Account in Writing of any Lands which, though properly belonging to the Subah of Bahar, might have come under the Dominion of Bulwand Sing, that they might be recovered from his Son Rajah Cheyte Sing. The Pergunnahs of Kera, Mungrou, and Birjay Ghur, were exactly in this Situation, having been usurped by Bulwant Sing from the Subah of Bahar. I accordingly delivered to Mr. Hastings the Accounts of them from the Entrance of the Company upon the Dewanny to the Year 1179 of the Fussil Æra, stated at 24 Lacks. Mr. Hastings said, " Give a Copy of this to Roy Radha Churn, that if Cheyte Sing is backward in acknowledging this Claim, Radha Churn may answer and confute him." Why Mr. Hastings, when he arrived at Benares, and had called Rajah Cheyte Sing before him, left these Countries still in the Rajah's Usurpations, it remains with Mr. Hastings to explain.

" The Governor, Mr. Hastings, has given the Purgunnah Bahurbunda, and others, in the Zemindary of the Ranee Bownney, to Cantoo, his own Banyan. The Ranee has committed no Fault, and Cantoo has no Right by Inheritance, or any other Title, to these Purgannahs. The Reasons of this Gift it remains with the Governor to explain.

" His Majesty, Shaw Allum, was graciously pleased to intend me an honorary Present of a Jahalder Palankeen, accompanied with other Ensigns of State, according to the Custom of this Country. When this Present reached Raja Shitabroy at Patna, in its Way to me, Nabob Meer Mahomed Jaffier Ally Khawn was dead, and being out of all Employ, I had retired to Calcutta. Raja Shitabroy, from the Fear of offending Mahomed Reza Khawn, detained the royal Present at Patna. Mr. Hastings gave Directions to Shitabroy's Vackeels Khojah Assun and Mujelio Roy, requiring that it should be sent down, which it accordingly was, to Mr. Hastings, with whom it has remained ever since. I humbly request that the Governor's Reasons may be required, and if the royal Present shall be found to be my Right, it may be delivered to me.

" Thus far I have written in general Terms. I shall now beg leave to offer a more particular and circumstantial Statement of Facts.

" An Account of Presents received by the Governor, Mr. Hastings, on Account of Transactions of a public Nature.

" Given by me to Mr. Hastings, at Calcutta, for procuring Rajah Goordass's Appointment to the Niabut, and causing Munny Begum to be made the Superior of the Family; by Means of Jagganaut

Jagganaut and Baulkishen, Cansumahs of the Governor, Mr. Hastings, together with Chyrun Naut, Nurr Sing, and Sedaunund, Three Bags of Gold Mohurs, (viz.)

1 Bag, containing Gold Mohurs	—	—	—	—	—	1474
1 Ditto	Ditto	—	—	—	—	1471
1 Ditto	Ditto	—	—	—	—	900
And Adailies 1140 = Gold Mohurs	—	—	—	—	—	570

Gold Mohurs — — 4412 } — 75,004
at 17 A. R. per Mohur

" Given by Ditto and Ditto, at Calcutta, by Means of Jagganaut and Baulkishen, Cansumahs of Mr. Hastings, together with Sedaunund and Nurr Sing aforeaid, One Bag, (viz.)

1 Bag, containing Gold Mohurs	—	—	—	—	—	1291
And Adailies 359 = Ditto	—	—	—	—	—	179

Gold Mohurs — — 1470 } — 24,998 : 8
at 17 A. R. per Mohur

" Sent to Ditto, for Batta on the aforementioned Sums, which having been paid as Arcot, Mr. Hastings required they should be made up Sunautts, by Means of Jagganaut and Baulkishen aforeaid, together with Nurr Sing, aforeaid, (viz.)

1 Bag, containing Gold Mohurs	—	—	—	—	—	1821
						at 17 A. R. per Mohur

" Sent to Mr. Hastings, at Calcutta, by Means of Jagganaut and Baulkishen, aforeaid, together with Sheevaram,

1 Bag, containing A. R.	—	—	—	—	—	1,000 : —
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" Given to Mr. Hastings, at Moorshedabad, by Mony Begum, upon the Occasion of constituting her the Superior of the Family, and taking away the Superiority from Bubboo Begum, Mother of the Nabob Mebawruc ul Dowlah, who before enjoyed that Rank,

Rupees Sonaut	—	—	—	—	—	100,000
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" The Governor, Mr. Hastings, in the Month Assar 1179, went from Calcutta to Moorshedabad; he remained about Three Months at Cossimbuzar, and sometimes went into the Nabob's Palace. After Mr. Hastings returned from Moorshedabad to Calcutta to Calcutta,* Mony Begum said to Raja Goordafs, " Write Word to Marajah Nundcomar, that it is proper and requisite to give One Lack and 50,000 Rupees to the Governor; and beg of Mahrajah to ask the Governor, whether it shall be sent in ready Money, or by a Bill of Exchange." I accordingly asked Mr. Hastings; who answered, " I have Connections of Trade in that Part of the Country; let this Money be paid to Nurr Sing, Cantoo's Brother, who is at Cossimbuzar." In consequence of which, I wrote to Rajah Goordafs, and Mony Begum, that they should deliver the Money to Nurr Sing, Cantoo's Brother. Mony Begum, with Rajah Goordafs's Knowledge, in the Month of Aughun 1179, paid this Money to the Governor, Mr. Hastings, by the Means of Nurr Sing, aforeaid, from under the Care of Chytun Ahurr, Cash-keeper to the Behailah, Sonat Rupees

150,000
2,50,000

Rupees 3,54,105

" Calcutta,
the 8th March 1775.

" I am,

Honourable Sirs,

Your most obedient, and most
devoted humble Servant,

The Signature of Rajah Nundcomar जुजु"

" Ordered, That the Persian Original, which was inclosed in the above, be translated.

" The Governor General observes, as Mr. Francis has been pleased to inform the Board that he was unacquainted with the Contents of the Letter sent in to the Board by Nundcomar, that he thinks himself justified in carrying his Curiosity further than he should have permitted himself without such a previous Intimation; and therefore begs Leave to ask Mr. Francis, whether he was, before this, acquainted with Nundcomar's Intention of bringing such Charges against him before the Board.

" Mr. Francis.—As a Member of this Council, I do not deem myself obliged to answer any Question of meer Curiosity. I am willing, however, to inform the Governor General, that though I was totally unacquainted with the Contents of the Paper I have now delivered in to the Board,

B. Y. 1179,
Allen 15.

Ditto 16.

Ditto 19.

Bhadun,

* See in Orig.

Board, 'till I heard it read, I did apprehend in general that it contained some Charge against him; It was this Apprehension that made me so particularly cautious in the Manner of receiving the Raja's Letter. I was not acquainted with Raja Nundcomar's Intention of bringing in such Charges as are mentioned in the Letter.

“ Warren Hastings,
J. Clavering,
Geo. Monson,
P. Francis.”]

Read, also, the following Extract of a Consultation of the 13th of March 1775, beginning at Page 1454 of the same Book.

“ Fort William, the 13th of March 1775.

Secret Dept.
Monday.

“ At a Council ; Present,
The Honourable Warren Hastings, Governor General, President ;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

“ The Secretary informs the Board, that he has received the following Note from Mahrajah Nundcomar, with a Letter addressed to them.

“ Sir,

“ I beg the Favour of you to deliver the accompanying Letter directed to the Governor and superior Council, and open it in their Presence.

“ I am, &c.

“ Calcutta, 13th March 1775.

Signed (Nundcomar.)”

“ Opened the Letter sent in with the above, which is read, and found to be as follows:

“ Honourable Sir, and Sirs,

“ I have the Honour to lay before, in a Letter of the 11th instant, an abstracted, but true Account of the Conduct of the Honourable Governor in the Course of his Administration. What is there written I mean not in least to alter; far from it: I have the strongest written Vouchers to produce in support of what I have advanced, and I wish and intreat, for my Honour's Sake, that you will suffer me to appear before you to establish the Fact by an additional incontestible Evidence.

“ I have never had any other Object in View but the Prosperity of the Company, and when I informed the former Governors, at the Time of their enjoying that Dignity, of the Business and State of this Country, I always told them, that by an immoderate Attention to private Emolument, the Company and the Country would greatly suffer; that the Welfare of the Country, and the Increase of the Revenues, were the primary Objects which they should continually keep in View. Mr. Hastings, till he had informed himself from me of the Affairs of this Country, remained exceedingly well pleased with me; when he had acquired this Knowledge from me, he no longer consulted me; instead of my Patron he became my Enemy, and acted as such. Unattentive to the Welfare of the Country, and the Enrichment of the State, he made his own private Emolument the Rule of his Conduct. You, Honourable Sir and Sirs, will take into Consideration this and my former Address, and will act in whatever Manner you may judge most conducive to the Interest and Prosperity of the State and Country.

“ I remain, &c.

“ Calcutta, 13th March 1775.

Signed (نندال) Nundcomar.”

“ Colonel Monson begs leave to make the following Motion.—I propose that Raja Nundcomar be called before the Board to bring the Proofs of the Charge against the Governor in his Letter of the 8th instant.

“ The Governor General enters the following Minute.

“ Before the Question is put, I declare that I will not suffer Nundcomar to appear before the Board as my Accuser. I know what belongs to the Dignity and Character of the First Member of this Administration. I will not sit at this Board in the Character of a Criminal, nor do I acknowledge the Members of this Board to be my Judges. I am reduced on this Occasion to make the Declaration, that I look upon General Clavering, Colonel Monson, and Mr. Francis, as my Accusers. I cannot prove this in the direct Letter of the Law, but in my Conscience I regard them as such, and I will give my Reasons for it. On their Arrival at this Place, and on the first Formation of the Council, they thought proper to take immediate and decisive Measures in Contradiction, and for the Repeal of those which were formed by me in Conjunction with the last Administration. I appealed to the Court of Directors from their Acts. Many subsequent Letters have been transmitted both by them and by me to the Court of Directors.—By me, in Protestation against

against their Conduct; by them, in Justification of it. Quitting this Ground, they since appear to me to have chosen other Modes of Attack, apparently calculated to divert my Attention, and to withdraw that of the Public from the Subject of our first Differences, which regarded only the Measures that were necessary for the Good of the Service, to Attacks directly and personally levelled at me for Matters which tend to draw a personal and popular Odium upon me; and fit Instruments they have found for their Purpose, Mr. Joseph Fowke, Mahrajah Nundcomar, Roopnarain Chowdry, and the Ranny of Burdwan.

" It appears incontestibly upon the Records that the Charges preferred by the Ranny against me, proceeded from the Office of Mr. Fowke; all the Papers transmitted by her, came in their original Form written in the English Language, some with Persian Papers of which they were supposed to be Translations, but all strongly marked with the Character and Idiom of the English Language. I applied on Saturday last for Persian Originals of some of the Papers sent by her, and I was refused: I am justified in declaring my firm Belief that no such Originals exist.

" With respect to Nundcomar's Accusations, they were delivered by the Hands of Mr. Francis, who has declared that he was called upon by Rajah Nundcomar, as a Duty belonging to his Office as a Councillor of this State, to lay the Packet which contained them before the Board. That he conceived that he could not, consistent with his Duty, refuse such a Letter at the Instance of a Person of the Rajah's Rank, and did accordingly receive it, and laid it before the Board, declaring at the same Time that he was unacquainted with the Contents of it: I believe that the Court of Directors, and those to whom these Proceedings shall be made known, will think differently of this Action of Mr. Francis: That Nundcomar was guilty of great Insolence and Disrespect in the Demand which he made of Mr. Francis; and that it was not a Duty belonging to the Office of a Councillor of this State to make himself the Carrier of a Letter, which would have been much more properly committed to the Hands of a Peon or Hircarra, or delivered by the Writer of it to the Secretary himself.

Mr. Francis has acknowledged that he apprehended in general that it contained some Charge against me. If the Charge was false it was a Libel; it might have been false for any Thing that Mr. Francis could know to the contrary, since he was unacquainted with the Contents of it. In this Instance therefore he incurred the Hazard of presenting a Libel to the Board. This was not a Duty belonging to his Office as a Councillor of this State. I must further inform the Board that I have been long since acquainted with Nundcomar's Intentions of making this Attack upon me. Happily Nundcomar, among whose Talents for Intrigue that of Secrecy is not the first, has been ever too ready to make the first Publication of his own Intentions. I was shewn a Paper containing many Accusations against me, which I was told was carried by Nundcomar to Colonel Monson, and that he himself was employed for some Hours in private with Colonel Monson, explaining the Nature of those Charges.

" I mention only what I was told; but as the rest of the Report which was made to me corresponds exactly with what has happened since, I hope I shall stand acquitted to my Superiors and to the World in having given so much Credit to it, as to bring the Circumstance upon Record. I cannot recollect the precise Time in which this is said to have happened, but I believe it was either before or at the Time of the Dispatch of the Bute and Pacific. The Charge has since undergone some Alteration, but of the Copy of the Paper which was delivered to me containing the original Charge, I caused a Translation to be made: When suspecting the Renewal of the Subject in this Day's Consultation, I brought it with me, and I desire it may be recorded, that when our Superiors, or the World, if the World is to be made the Judge of my Conduct, shall be possessed of these Materials, they may, by comparing the supposed Original and amended List of Accusations preferred against me by Nundcomar, judge how far I am justified in the Credit which I give to the Reports above mentioned. I do not mean to infer from what I have said, that it makes any Alteration in the Nature of the Charges, whether they were delivered immediately from my ostensible Accusers, or whether they came to the Board through the Channel of Patronage; but it is sufficient to authorize the Conviction which I feel in my own Mind, that those Gentlemen are Parties in the Accusations of which they assert the Right of being the Judges. From the first Commencement of this Administration, every Means have been tried both to deprive me of the legal Authority with which I have been trusted, and to proclaim the Annihilation of it to the World; but no Instance has yet appeared of this in so extraordinary a Degree as in the Question now before the Board. The Chief of the Administration, your Superior, Gentlemen, appointed by the Legislature itself, Shall I sit at this Board to be arraigned in the Presence of a Wretch whom you all know to be one of the basest of Mankind? I believe I need not mention his Name; but it is Nundcomar: Shall I sit here to hear Men collected from the Dregs of the People give Evidence at his dictating against my Character and Conduct? I will not; you may if you please form yourselves into a Committee for the Investigation of these Matters in any Manner which you may think proper, but I will repeat, that I will not meet Nundcomar at the Board, nor suffer Nundcomar to be examined at the Board, nor have you a Right to it, nor can it answer any other Purpose than that of vilifying, and insult me to insist upon it.

" I am sorry to have found it necessary to deliver my Sentiments on a Subject of so important a Nature in an unpremeditated Minute drawn from me at the Board, which I should have wished

to have had Leisure and Retirement to have enabled me to express myself with that Degree of Caution and Exactness which the Subject requires. I have said nothing but what I believe, and am morally certain, I shall stand justified for in the Eyes of my Superiors and the Eyes of the World; but I reserve to myself the Liberty of adding my further Sentiments in such a Manner and Form as I shall hereafter judge necessary.

"Ordered, That the Paper delivered by the Governor General be entered after this Consultation.

"Colonel Monson.—I beg that the Governor General will inform the Board, from whom he had his Information respecting the Visit Nundcomar made to me, to explain the Paper of Charges which he proposed to exhibit against the Governor.

"The Governor General.—I do not think the Question a proper one. Colonel Monson will be pleased to recollect, that he is one of a decided Body of this State in which all the Powers of it are inherent. I will not mark any Individual as an Object for his Resentment; and I apprehend that, upon a very slight Recollection, he will see the Impropriety of requiring from me so unbecoming a Sacrifice. But as a further Proof, in Addition to what I have already urged, that I had Reason sufficient to credit the Report, I will beg Mr. Barwell to inform the Board, whether he was not apprized of the same Circumstances at the same Period of Time that I have mentioned myself.

"Mr. Barwell informs the Board, That he was apprized of it, and received a Copy of the same Paper that the Governor has laid before the Board.

"Colonel Monson.—As the Governor General has not thought proper to acquaint the Board from whom he received the Information with regard to my Conversation with Nundcomar, I shall take no farther Notice of it; as I presume an Assertion, even from the Governor General himself, will have no more Weight or Influence in the Opinion of the World, than from a private Member of this Board. I do hereby declare, that the Governor, and Mr. Barwell likewise, have been totally misinformed; for I never heard nor saw any Paper in Persian, or any other Country Language, which contained, to the best of my Knowledge, any Accusation against the Governor General.

"The Question proposed Colonel Monson being put as before stated,

"Mr. Francis agrees to it.

"Mr. Barwell.—I see no Occasion for Rajah Nundcomar's Presence; and I do not think the Board can with any Propriety place the Governor on the Footing of a Criminal arraigned at their Tribunal, and Nundcomar on that of his Accuser. The Rajah, if he has any serious Intention of proving the Matter, as he has set forth, and not of distracting still further the Harmony of this Council, already too much divided, may have Recourse to a very eligible and efficacious Mode of establishing his Allegations. The Supreme Court of Judicature, which is now sitting, will hear any Thing that he has to say in Behalf of the Company, will examine his Evidence, and determine upon the Representations he may make. I do not think this Board competent in judging of Matters of this Nature; and I think it a very happy Circumstance that the Legislature has appointed a Jurisdiction for the Cognizance of all Complaints that affect the Subject or the Government. It ties up the Hands of Power from gratifying any partial Aims, and leaves the Discussion of Facts, which must otherwise be tinged with the Passions of Men interested, free and open. I am therefore against the Motion; at the same Time that I am for enjoining the Secretary to inform Nundcomar, that it is expected he shall support whatever he may think proper to set forth to this Board, by Evidence produced before any One of the Judges; and that unless he does this, the Board will reject any Complaints which he may prefer, as an injurious Libel upon the Governor."

"Colonel Monson.—I think the Rajah should be called in, to shew to the Board the Nature of the Evidence he has to produce, as the Proof of his Charge against the Governor General. If those Proofs should be thought sufficient, this Cause may hereafter be tried in the Supreme Court. I more particularly wish that the Board may receive Nundcomar, as it will give the Governor General an Opportunity of confuting the Charges brought against him."

"General Clavering.—I think it both for the Honour of the Governor General, and for the Dignity of this Board, which is wounded by a criminal Accusation exhibited against the First Member of it, that Raja Nundcomar should appear before the Board, to lay before us the Proofs he has of the Allegations which he has exhibited against the Governor General. Were we to refuse him, the Governor might justly reproach us with having defeated the only Means by which his Honour could be rescued from so reproachful an Accusation. He might then say, as he has done in his Minute just delivered to us, that we have refused him the Proof that he might obtain of his Innocency. In respect to the original Papers, referred to in the Ranny of Burdwan's Petition, which he demanded, those Papers, as I understand, were at the Door, and the Ranny's Vakeel ready to deliver them. If the Proofs which Nundcomar has offered to produce are judged groundless, or if the Papers which the Ranny of Burdwan's Vakeel still offers to produce are not authentic Vouchers of Bridjoo Kishore's Accounts, I shall then be the first to propose the Question to this Board, that the Accusations brought against the Governor General are malicious and false. For these Reasons I desire that Nundcomar may be brought.

"The

" The Governor General.—I have delivered my Opinion. I do not understand the Question to be, Whether Nundcomar shall be called before the Board—but whether I shall be confronted with him; since the same Effect may be produced, as I have declared before, by a Committee of the Board, without my Presence.

" Resolved, That Nundcomar be called before the Board; and the Secretary is ordered to summon him accordingly.

" Colonel Monson gives in the following Minute.

" The Governor General's Minute, on my Motion to introduce Nundcomar, contains little more than general Invektive in answer to a positive Charge; it tends to prove me his collateral Accuser, from an Information given him by a Person who he refuses to make known; but supposing I had seen the Paper alluded to, it does not invalidate the Fact contained in it.

" I made the Motion, conceiving it was for the Honour and Dignity of Government that we should proceed, as far as we were justified by Law, to attain as much Information as might be thought necessary to pass a Censure upon Nundcomar, if any Circumstances should appear which might incline us to believe that Nundcomar has been guilty of a Slander; and that this could be done in no Way so well as in the Governor's Presence.

" The Governor General.—I declare the Council now dissolved; and I do protest against any Acts of it as a Council during my Absence, as illegal and unwarranted.

" Mr. Francis.—I beg Leave to ask the Governor General whether he means to quit the Chair.

" The Governor General.—I shall not answer your Question, because I do not think it sufficiently defined.

" I quit the Council.

Warren Hastings."

Signed (at the End of Consultation)

" J. Clavering,
Geo. Monson,
P. Francis."

Then the Managers for the Commons being about to read the Remainder of the said Consultation, containing an Examination of the Rajah Nundcomar, in support of the Charge abovementioned, in order to introduce the Demeanour of the Defendant thereupon; it being stated by the Managers for the Commons, that the said Examination afterwards came to the Knowledge of the Defendant, and was by him transmitted to the Court of Directors,

The Counsel for the Defendant objected thereto: First, because the said Examination was not upon Oath. Secondly, because it was taken in the Absence of Mr. Hastings. Thirdly, as being a Proceeding before an incompetent Jurisdiction; and lastly, that the said Rajah Nundcomar was afterwards convicted of a Forgery, committed by him prior to the said Examination being taken.

The Managers for the Commons being heard in Answer to the said Objections, and the Counsel in Reply,

The House adjourned to the Chamber of Parliament.

Die Mercurii, 20^o Maii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said, "Gentlemen, Managers for the House of Commons, and you Gentlemen who are of Counsel for the Defendant, the Lords have resolved, That it is not competent for the Managers for the Commons to produce the Examination of Nundcomar in Evidence; the said Managers not having proved, or even stated, any Thing as a Ground for admitting such Evidence, which, if proved, would render the same admissible; and this Resolution they have commanded me to communicate to you.

"Gentlemen, Managers for the House of Commons, you may proceed with your Evidence."

Then the Managers for the Commons desired Leave to withdraw.

The Managers for the Commons having returned, desired that an Extract of a Consultation of the 20th of March 1775, might be read, in order to shew that Mr. Hastings was officially and regularly informed of all the Proceedings of the Rest of the Counsellors on the 13th March 1775, after he left the Council.

Read, from Book 9, already delivered in, the following Extract of a Consultation of the 20th March 1775, beginning at Page 1499 of the same Book.

"Fort William, the 20th March 1775:

"At a Council; Present,

The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret Dept.
Monday.

"Read, the Consultation of the 13th instant."

Then the Managers for the Commons desired the Consultation of the 13th instant might be read.

The Counsel for the Defendant objected to the same, as tending to introduce that *per indirectum* which the Managers for the Commons could not introduce *per directum*.

The Managers for the Commons being heard in Answer to the said Objection, and the Counsel in Reply,

The House adjourned to the Chamber of Parliament.

The Lords being returned, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said, "Gentlemen, Managers for the House of Commons, and you Gentlemen who are of the Counsel for the Defendant, the Lords have resolved, That the Circumstance of the Consultation of the 13th March 1775, being read at a Consultation of the 20th of March 1775, at which Mr. Hastings was present, does not of itself make the Matter of such Consultation of the 13th of March 1775, admissible Evidence; and this Resolution they have commanded me to communicate to you."

Then the Managers for the Commons proposed to read the Whole of the Consultation of the 20th of March 1775, and in the First Place the Consultation of the 13th March 1775, referred to therein, as making a Part of the said Consultation of the 20th of March 1775, in order to shew the Demeanour of Mr. Hastings thereupon.

Then the House adjourned to the Chamber of Parliament.

Die Fovis, 21^o Maii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said, "Gentlemen, Managers for the House of Commons, and you Gentlemen who are of Counsel for the Defendant, the Lords have resolved, that the Consultation of the 13th of March 1775, cannot now be read."

Then the Managers for the Commons desired the following Extract of a Consultation of the 20th March 1775, might be read.

The same was read accordingly, from Book 9, already delivered in, beginning at Page 1499.

"Fort William, the 20th March 1775:

"At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

Secret
Monson

"The Secretary informs the Board, that he last Night received an Order from the Governor General to summons a Council this Morning, in consequence of the following Letter to him, which he ordered to be recorded.

"Sir,

"We have the Honour to inform you, that we have received Advices of very great Importance from the Second Brigade, now in the Field, which have a Relation to the Conspiracy mentioned in Colonel Galliez's Two last Letters. We desire that you will be pleased to summon a Council, in order that we may lay the above Advices before the Board, and take the Subject of them, together with some other Points of material Business, into immediate Consideration.

A Council
called at the
Desire of the
General, Co-
lonel Monson,
and Mr. Francis.

"We have the Honour to be,
with great Respect,
Sir,

Your most obedient and most
humble Servants,

(Signed) "J. Clavering,
Geo. Monson,
P. Francis."

"Read, the Consultation of the 13th instant.

"The Governor General.—I declare that the Words, 'I quit the Council,' were not recorded by me. What I said on leaving the Room I do not remember; but I know that I never meant to acknowledge the Existence of the Council after I had quitted the Room, and had declared it to be dissolved.

"General Clavering moves, That the Proceedings of the 13th instant be recorded, as read and approved.

"Mr. Francis agrees.

"Mr. Barwell.—The Proceedings of the Board of that Day I approve; the Proceedings after the Dissolution of the Board by the Governor General, the Majority of the Members have certainly a Right to introduce on the Proceedings; but I esteem it merely in the same Light as any Consultation which Two, Three, or Four Members of the Board, assembling in any other Place but the Council House, may with equal Propriety have conducted and introduced in a Minute, as the Result of their joint Opinions and Deliberations. The Subject which is treated on in this Addition to the Consultation of the 13th instant, I have from the First declared to be improper, and I look upon it to be more especially so, as the Governor General has expressly charged the
Three

Three Gentlemen, who took Cognizance of the Charges brought by Nundcomar against him, to be Parties in the Accusation. There is something so strikingly improper in the Accusers and Accused sitting at the same Tribunal, that I own it could have afforded me extreme Satisfaction if the Alternative I had proposed, in delivering my Opinion when this Matter was first introduced, had been pursued, and the Character and Dignity of the first Officer of the Government not lowered in the Opinion of the Natives, by promulgating, throughout the whole Country, that all Power and Authority was taken out of the Hands of the President.

" Colonel Monfon.—I agree to the Motion, acknowledging no Power or Authority in the Governor General solely to dissolve this Board.

" General Clavering agrees to the Motion.

" The Governor General.—I agree to the Motion, so far as it respects the Proceedings of the Board, of which I am the Head. The Proceedings of General Clavering, Colonel Monfon, and Mr. Francis, held after my Departure, and after I had declared the Meeting of the Board to be dissolved, I do not acknowledge to be the Proceedings of the Board; I therefore cannot approve them.

" General Clavering, Colonel Monfon, and Mr. Francis deliver in the following Minute.

" The Governor General having repeatedly claimed and endeavoured to exercise a Power of dissolving this Council in its several Departments, and having also repeatedly and publicly declared his Opinion, that any Acts done by the Majority of the Council in his Absence, (when he had quitted the Chair in Opposition to the Sense of the Majority), were not the Acts of the Board, nor legal, which Declaration he has been pleased to confirm by his Letter to Mr. Richard Sumner of the 18th instant, recorded in the Consultation of the Revenue Department; we beg Leave to lay before the Board our Reasons for thinking that his Opinions and Conduct above-mentioned are not warranted by Law; and we request that he will be pleased to communicate to us, the Arguments which induce him to think that such Opinions and such Conduct are conformable to the Act of Parliament which constitutes the present Government. We for ourselves are convinced that his Conduct in this respect is illegal, and that the public Declaration he has made of his Opinions tends manifestly to encourage a general Resistance to the Authority of this Government, and to the Subversion thereof.

" If the Governor General can legally dissolve the Council at his Pleasure, it follows of Course that any Acts done by the remaining Members in his Absence, are not the Acts of the Board, nor legal; but we deny the Power claimed by the Governor General in this respect, as we know no such Authority in him; though supposing he ever had been invested with such Power, it is clear that the same is taken away by the late Act of Parliament, by which the Constitution of our Settlements in India is wholly new modelled, and the whole Civil and Military Government of this Presidency, is vested in a Governor General and Four Counsellors, in like Manner to all Powers and Purposes whatsoever, as the same at the Time of passing the Act were, or might have been exercised by the President and Council, or Select Committee. This Clause seems to us not at all to apply or extend to the particular Mode in which the Power given shall be exercised, but only to fix and ascertain the Extent of it. The subsequent Clause describes and defines the Manner in which it shall be carried into Execution, and it is enacted, That in all Cases whatsoever, or wherein any Difference of Opinion shall arise in any Question proposed in any Consultation, the said Governor General and Council shall be bound and concluded by the Opinion and Decision of the major Part of those present.

" Suppose then a Question to arise, Whether the Council should be dissolved; the Majority of the Members should be of Opinion, that it should not, in Opposition to the Governor General; does not the Act expressly declare, that he by Name shall be bound by the Decision of such Majority? Suppose again, that he should be of Opinion that the Council should not be dissolved, and the Majority present should be of a contrary Opinion; would it be at all consistent with the Act, that he alone, or that he and One other Member, should continue sitting, and do Business? If he could do the One, we think he might with equal Propriety do the other. There seems to us the same Reason and the same Right for each.

" In every Act, whether of a public or private Nature, the Rule of Construction ought to be, that the Intent and Purpose for which the same was made and done, ought to be substantially pursued: How could this be the Case, supposing the Power of dissolving the Council was vested in the Governor General? Whenever any Business came to be agitated, which we will suppose he should not approve of, how easy a Matter would it be for him immediately to dissolve the Council, and so toties quoties, whenever the same Case should happen. This would stop all publick Business, but such as he alone chose to enter upon, and in Effect make him absolute; in both Cases it would be directly to counteract the most obvious Ends and Purposes of the Act of Parliament.

" From whence the Idea of this Power arises we are at a Loss to conceive, unless from the Nature of the Power vested in His Majesty's Governors in our American Colonies and Plantations; there, it is true, the Governor is the sole Representative and Deputy of the King, and as such has the Power of dissolving or proroguing their Provincial Assemblies as he thinks proper; but then such Power is annexed to the Office by the original Constitution granted by the King to those Countries, and expressly confirmed by His Majesty's Commission and Instructions to each succeeding Governor, which

which is by no Means the Case here: Neither is there, as we conceive, the least Analogy between the Constitution of those Countries and this. But even supposing there ever had been, no Doubt can be entertained, but that the Whole of the Constitution of all those Countries is liable to be new modelled and reformed by the general superintending Power of the British Legislature, and is in every respect subject to their Controul. There the Parliament has thought proper to interfere, and has clearly drawn the Line.

" The Instructions from the Court of Directors were, or ought to have been, till this Act of Parliament, the sole Guide, as we apprehend, for the Governor, or rather President and Council here, to go by: Such Instructions are still in some Measure to be followed, but not wholly so. The Court of Directors may, it is true, instruct the Governor General and Council, as to the particular Manner of carrying the Act into Execution; but were they to give any one Instruction, which might even indirectly tend to counteract it, it would not, we presume, be doubted, but that such Instruction ought to be wholly disregarded. If so, and there is no particular Authority given to the Governor General, either by the King, the Parliament, or the Court of Directors, to exercise the Power in Question, we do not see from whence it can originate. The Name of Governor General is, with all due Deference, nothing but a mere empty Sound. The Privileges and Powers annexed to such Title is what alone makes it valuable to its Possessor, or respectable to others. What such Privileges and Powers are, can only be known and defined by a Reference had to the Grant by which such Title is conferred; that, in the present Case, is the Act of Parliament; and we do not find that it either expressly or implicitly, directly or indirectly, gives any such Power as that claimed by the Governor General.

" We think the Presence of the Governor General is not essential to the Constitution of a Council, since the Act provides, that in his Absence, and supposing the remaining Members to be equally divided upon any Question, the eldest Counsellor present shall have a Casting Voice, and his Opinion shall be decisive and conclusive.

(Signed)

" J. Clavering,
G. Monson,
P. Francis

" The Governor General.—This Question has already been put, and amply discussed, at the Revenue Board, on the 14th instant. I do not recollect any Arguments or Authorities by which I can sustain my Part of the Question stronger or more apposite than those which are contained in my Minute upon that Question, and in my Minute of Reply to a preceding Question of Mr. Francis, on that Day, upon the said Subject. If, on the Revival of those Minutes, and on an attentive Perusal of the Minute now delivered in by the Majority, I shall find it necessary to use any further Arguments on the Subject, I will record them. For the present, I shall only declare, that I abide by my former Resolutions.

" Mr. Francis moves, That a Letter to the Honourable the Court of Directors be immediately drawn up, and dispatched over Land, to acquaint them of the Difference which has unhappily arisen in this Council between the Governor General and Mr. Barwell, on the one Side, and General Clavering, Colonel Monson, and Mr. Francis on the other, respecting a Power claimed by the Governor General to dissolve the Council at his Pleasure; the former asserting, and the latter denying, the Legality of such a Claim. That the Arguments on both Sides be also transmitted to the Court of Directors, with the unanimous Request of the Board, that a Decision of the above Question be obtained and transmitted to this Government, as soon as possible.

" Mr. Barwell.—I see no Objection to it at present; if any should occur to me afterwards, I shall send them in.

" Colonel Monson agrees.

" General Clavering agrees.

" The Governor General.—I cannot refuse my Assent to the Question, wishing equally with the Gentlemen from whom I understand the Proposition to come, an early Decision of it. My Sentiments, unsupported but by a single Member of the Board, imposing every Disadvantage on me, to which nothing but the Sense of the Duty which I owe to the respectable Powers from whom I hold my Appointment, could induce me to submit; but there are many Objections to the Proposal, which would have dissuaded me from being the Mover of it. I do not approve of detached Questions being sent to the Court of Directors, considering (as I do) this only a Point of a connected and deliberate System adopted on the first Formation of the Council, and continued without Intermission to this Day. To render our Advices on this Subject complete would require a great Variety of Materials on both Sides of the Question. It will be scarce possible to commit these to * Ceypher in the midst of the voluminous Dispatches of the last Ship of the Season; and it will be dangerous to transmit them in plain Writing. However as the Question has been put, and resolved on, I will endeavour to perform my Part in the Preparation of the Advices which are to be thus transmitted. * Sic in Orig.

" Agreed.—That a Letter to the Honourable the Court of Directors be prepared accordingly, to be transmitted to them over Land.

" General Clavering.—The Refusal which Cantoo Baboo, the Governor General's Banyan, made to comply with an Order of this Board on the 13th instant, which required his Attendance here, appears so contumacious to the Authority of the Government, that I move that an Order of the Board be immediately given to bring him here to answer for his Contempt.

" The Governor General.—This is the Third Time that specious Pretexts have been made Use of to induce me to issue a Summons for the Meeting of the Board, to introduce concealed Matter. The First Petition of the Ranny of Burdwan, and all the Proceedings immediately subsequent upon it, were introduced in this secret Way. A Council was then called in the Revenue Department, at the Requisition of the Gentlemen of the Majority, for special Purposes, minutely expressed; and this was the Subject first introduced. The Meeting of the Board in the same Department, on the 17th of this Month, was likewise desired for express Purposes; and the same Question which is now before the Board was then brought on before any other Question was proposed, although no Intimation of it, or Allusion to it, had been made in the Requisition for the Meeting of the Board. The Purpose, for which the same Gentlemen have required a Meeting of the Board To-day, are expressed in the Letter to me recorded on this Day's Consultation; the first Part of which alludes to some Matter of great Danger impending on the Second Brigade; yet I find every other Business must be postponed, and the same Question which was proposed at the last Revenue Board again renewed in this, without the least previous Intimation. What Conclusion am I to draw from these Proceedings, but that the sole Business of this Board is to treat their President with personal Attacks and Injuries?—I will not assent to the Question, and I protest against it.

" Mr. Francis gives in his Opinion as follows:—I apprehend that the Governor General and Council, or the Majority of them, are legally vested with a Power to summon any Native of this Country, being a Subject of this Government, to attend at the Board; and to proceed against the Party refusing to comply with such Summons, as for a high Contempt. The former Administration unquestionably exercised this Power in a Multitude of Instances. The present Governor and Council, or the Majority of them, are vested with the same Powers, to all Intents and Purposes, the same might at any Time heretofore have been exercised by the late, or any former Administration. I think that Cantoo Baboo has been guilty of repeated Acts of Contempt to the Supreme Council of this State, and that our first and most important Business and Duty is, to assert and maintain our Authority. When this Question is determined, we may immediately proceed to the other Business before us. I agree to the Motion.

" Mr. Barwell.—I am against the Motion, not knowing any Instance of Contumacy that Cantoo Baboo has shewn to this Board. I esteem the Governor General as Head Officer of the State, to execute the Resolutions of the Government, and to be responsible for any Deviation that may be charged to him before a higher Tribunal than this Board. I think this Power proper and necessary to be vested in the Governor General, and that it is vested in him by the Act of Government; that his Conduct in this Particular cannot be controuled by the Board; for could it, he himself might be made the Instrument of every Indignity and Contumacy, if any such should be attempted to be thrown on his Office. I therefore do conceive the Governor has a * Negative to the enforcing of any Act of the Council; that the Council cannot legally enforce any Act but through the Governor General, who is responsible, as I have already observed, to a higher Power than this Board, for refusing his Authority to the enforcing a Resolution that may lower his Office, and render it contemptible. This could never be designed by the Legislature; and the Governor himself is to judge the Instances that may arise, and the Propriety of his refusing to concur in the Resolutions with his executive Authority. Cantoo Baboo is a very old Servant of the Governor General's. It is well known that he would not have acted in Opposition to the Orders of General Clavering, Colonel Monson, and Mr. Francis, had he not conceived in so doing, he was acknowledging a Power superior to the Governor's†. If therefore he is called before this Board and censured, for not obeying an Order out of the usual Form and irregular, the Censure will not adhere to him, but to the Governor General. This, I think, should be avoided; and any Resolution that the Board may pass should be confined merely to our Proceedings, and not published by an express Act that must degrade the Governor General irretrievably in the Eyes of all the Inhabitants.

* Sic in Orig.

† Sic in Orig.

" Colonel Monson.—I think the Constitution of this Government has been deeply wounded in the unjustifiable Conduct of Cantoo Baboo, in refusing to obey the Summons sent him by this Board. This Board has ever exercised an Authority to send for Persons before them. This Power, in many Instances, was exerted during the last Government; and all Powers that they enjoyed are inherent in this Government by the late Act of Parliament. I therefore am for the Question.

" General Clavering.—No Government can subsist without its Orders be obeyed. The Resistance which Cantoo Baboo, the Governor's Banyan, has shewn in disobeying an Order of the Government, renders it absolutely necessary, that the first Moment that the Council assembled should be employed in asserting and vindicating its Authority. The Contumacy of this Man is so much the greater, as he has dared to make use of the Governor General's Name as a Reason for his Disobedience. I therefore could wish that the Governor General himself would, in Support of his own Dignity, unite with the other Members of the Board in bringing this Man to condign Punishment.

" Governor

" Governor General.—Cantoo Baboo, as the Servant of the Governor, is considered universally as the First native Inhabitant of Calcutta. I observe the Stress which has been laid upon the opprobrious Term Banyan, applied to him, which is not applicable to him, if used in the same Sense by which the common Brokers in this Place are distinguished under that Appellation. He is a Man of a very creditable Family, not a Native of Calcutta, and has been publicly known many Years in this Country, in which his Character is to this Day irreproachable. As my Servant, he is amenable to the Jurisdiction of the Superior Court of Judicature, by the express Words * upon ^{† Sic in Orig.} Act of Parliament. He was not subject to the Mayor's Court, in which the Exercise of the English Law was vested before the Constitution of the Superior Court. Any Conclusions therefore drawn from the Practice of former Governments, in which different Rights and Powers were supposed to be inherent, but have been since expressly abrogated, are fallacious and unwarranted. I repeat, that I am against the Question.

" General Clavering.—I understand that Cantoo Baboo is the Governor General's Banyan, in the strict Sense in which that Term is understood in Calcutta; that he exercises all the Functions of that Office, whatever it may be. I am not acquainted with his Origin; but I have always understood that he was Mr. Sykes's Banyan before he entered into the Governor General's Service; but he is a Farmer, as I have said before in the Proceedings of the Revenue Board, to a considerable Amount, and in that Quality alone I call upon the Governor General to declare whether he is not amenable to this Board.

" Governor General.—Amenable to this Board as a Farmer? most undoubtedly he is, if by amenable is meant accountable for his Rents; but it appears then, that I have been all along deceived. I thought he had been called upon for other Purposes, with which his Profession as a Farmer had not even the most distant Relation. If I understand the English Law, and the universal Principles of Justice, the Application of a legal Power to illegal Purposes, the Assertion of a Right to a legal Power for Purposes which do not appertain to it, is Oppression. ^{† Sic in Orig.} If this is the Use that the Board mean to make of their Authority which they hold over the Farmers of public Revenue, I shall protest against it in every Instance, as tending to reduce those who unfortunately hold those Offices to the last Degree of Servitude, to discourage Men of Credit from offering themselves as Farmers, and thereby essentially to injure the Revenue.

" General Clavering.—I have declared in my Motion, that my Reasons for proposing that Cantoo Baboo might be brought here, † was to answer for his Contempt. Perhaps, in the other Council, I will take Care that he answers for all the Balances which may be due from him, for those immense Farms which he has been suffered to relinquish, to the Amount of Eight Lacks of Rupees. It is sufficient for the present, that the Board carry into Effect what has already been resolved by the Majority of the Board.

" Governor General.—I must protest also against this Resolution of General Clavering, against all its Consequences, understanding it as a Declaration to punish Cantoo Baboo in his Character of a Farmer; not for his Conduct in the Discharge of that Trust, but for his Conduct in Matters which have no Relation to it.

" General Clavering.—I have never said that I would punish him; I said that I would make him accountable for whatever Balances may appear to be due from him. If that is a Punishment he certainly shall receive it, as far as my poor Endeavours can be used to forward it.

" Governor General.—I still adhere to my † Instruction of the General's Declaration, as it is not connected with any Subject that has Relation to his Farms, nor furnished by any apparent Occasion in the Management of them. Whether I am right or wrong the Court of Directors will be the Judges. ^{† Sic in Orig.}

" Agreed to the Motion of General Clavering, and ordered, that the Secretary issue a Summons for the Attendance of Cantoo Baboo.

" The General further moves, That an Order in the usual Form be immediately sent to Cantoo Baboo to attend, with Directions to the Messenger to leave it at his House, if he should not find him at Home, to direct him to attend on the Council, on the first Day of its Meeting, of which the Secretary shall give him previous Notice.

" Mr. Francis.—I agree.

" Mr. Barwell.—I agree.

" Mr. Monson.—I agree.

" Governor General.—Having objected to the first Question, I cannot give my Assent to this.

" Agreed to the above Motion of General Clavering's.

" Ordered, That the Secretary do immediately send the Summons to Cantoo Baboo, and that he give the proposed Directions to the Messenger.

(Signed at the End)

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich. Barwell,
P. Francis."

Read,

Read, also, the following Extract from Page 1583 of the same Book, and same Consultation.

“ Cantoo Baboo, attending according to the Summons of the Board, is called in, and Colonel Monson proposes the following Questions to be put to him.

Q. Did you receive a Summons from this Board on Monday the 13th instant, to attend them?
Mr. Auriol, Assistant Secretary, is desired to interpret the Questions to Cantoo Baboo, with his Answers; and having accordingly put the above Question to him, he answers,

A. I did.

Q. Why did you not come?

A. I was with the Governor, who heard of the Summons, and said, What Occasion is there for your going? Don't go.

Q. Are you not sensible that the Authority of this Government is placed in the Council?

A. We Bengallies, the People of this Country, know that the Governor's Orders are in Force upon us, and that next to these the Orders of the Council are over us.

Q. Would you not have obeyed the Orders of the Council, if the Governor had not told you to disobey them?

A. I certainly should have obeyed the Orders.

Q. Did you receive a Summons on Tuesday the 14th instant to attend the Board of Revenue?

A. I did receive it.

Q. Why did you not obey it?

A. For the same Reasons as those I before mentioned.

Q. Did you not receive another Order to attend the Board of Revenue on Friday the 17th instant?
A. I did not receive any on Friday. I got One on Saturday, to attend at the First Council; and I returned for Answer to Mr. Sumner, that I would attend at the First Council. I went to Mr. Sumner's that Morning, and I learnt that there was no Board there, but he directed me to be present on the First Council Day.

Q. Did you receive an Order of this Board to attend here To-day.

A. I received no written Order To-day. A Person left Word at my Gate, and on receiving the Notice I came.

Q. Do you know from whom that Person came?

A. I did not see the Peon. My People told me that a Peon had come with an Order of Council, and had left Word, that it was the Council's Order for me immediately to attend.

Cantoo Baboo is now ordered to withdraw.

“ General Clavering.—The Governor having threatened me, for having proposed a Form of Punishment for Cantoo Baboo, that which he usually inflicts every Day upon the poor Natives, by putting them in the Stocks by Ten or Twelve at a Time; that if I meant any Thing personal to him, he would make me answer for it with his Life: I therefore move, that Cantoo Baboo be put into the Stocks, to have that same Punishment inflicted upon him which the Governor inflicts every Day upon so many miserable Hindoos, barely for easing themselves upon the Esplanade Two Miles Distance from the Town.

“ The Governor General.—The General has not used my Words, which I will repeat. The General had Twice proposed, and in the Language of a Menace, that Cantoo Baboo should be put in the Stocks. I said, if he attempted any Thing in his own Person, and by his own Authority, I would oppose it with my Person, or personally oppose it at the Peril of my Life. I added, that if he made use of the Law, I would oppose him by the Law. Mr. Barwell, are these my Words?

“ Mr. Barwell.—I remember Words to such Effect.

“ General Clavering.—I deny having used any Language, or any Appearance of Menace to the Governor General; I know too well what I owe to his Situation to be guilty of it. As he must have been acquainted with the usual Forms of Punishment for Contempts, I applied to him to know what it was, and asked him if the Stocks were not used upon such Occasions. I was then surprized to hear him declare, that he would resent personal Attacks (or Words to that Effect) with his Life.

“ The Governor General.—I cannot help remarking the Pains taken by General Clavering, by Allusions to every Part of my Conduct, and loading it with Terms of Reproach, to provoke me beyond the Line of that Moderation and Temper, which I have exercised in a Course of almost exhausted Patience, during the last Six Months. I was first attacked on the Subject of the Jaut Malla Cutcherry, which was represented as arbitrary and oppressive, although this has existed from the first Establishment of the Company, and had no Relation to the Subject of Debate before us. If it was improper, why was it not proposed long ago that it should be abolished? Why reserved for this Time, to be made use of as an Instrument of Provocation? The Stocks were erected on my first coming to the Government to preserve the Air of the City from the foulest Nuisance; they have con-

tinued ever since, and I have always understood, that it was universally looked upon as a Benefit; if it was wrong or illegal, why have they so long been permitted to remain there? A Motion of the Board might have effected their Removal; but to propose to inflict such a Punishment, so disgraceful to a Man of Character and Credit, would be an Extension of Rigour equal to Death.

" Mr. Francis moves for an Adjournment of the Board.

" Mr. Barwell has no Objection.

" Colonel Monson.—I consent to the Motion.

" General Clavering.—I agree to adjourn.

" The Governor General.—I have no Objection.

" Agreed, that the Board do adjourn accordingly.

(Signed) at the End,

" Warren Hastings,
J. Clavering,
Geo. Monson,
Rich^d Barwell,
P. Francis."

Then the Managers for the Commons proposed to read the Consultation of the 13th of March 1775.

The Counsel for the Defendant objected to the same, inasmuch as the Position of the Evidence was not varied by any Thing contained in the Consultation of the 20th of March 1775, from what it was before that Consultation was read.

The Managers for the Commons being heard in Answer to the said Objection, were asked, " If they would not state the Whole of the Circumstances, which they meant to rely, as a Ground to entitle them to read the Proceedings of the 13th March 1775, abovementioned."

The Managers for the Commons desired leave to withdraw :

And being returned, requested the Decision of the House upon the same. It now stood, reserving to themselves a Liberty in future to lay any Ground for the Introduction of the Proceedings of the 13th March 1775, if necessary.

Then the House adjourned to the Chamber of Parliament.

Die Mercurii, 27^o Maii 1789.

THE Lords being in their Places, the House resumed, the usual Proclamations made, and the Defendant appearing at the Bar, the Lord Chancellor said, "Gentlemen, Managers for the Commons, and you Gentlemen who are of Counsel for the Defendant, the Lords have come to this Resolution, That the Examination of Nundcomar, and the rest of the Proceedings of the Councillors on the 13th of March 1775, after Mr. Hastings left the Council, ought not to be read; and this Resolution they have commanded me to communicate to you."

Then the Managers for the Commons desired, that Philip Francis Esquire might be called to prove that a Letter from the Munny Begum to the Rajah Nundcomar, charging Mr. Hastings with the Receipt of Three Lacks and an Half of Rupees, was delivered in to the Council on the 13th of March 1775, and that Mr. Hastings knew the Begum had written such a Letter.

Accordingly PHILIP FRANCIS Esquire, was called in; and examined as follows:

Q. Whether an Enquiry was not instituted upon a Charge made to the Council of Bengal?

The Counsel for the Defendant desired that, before the Question, he might be asked, whether there was any Enquiry taken down in Writing by way of Consultation?

A. I know of no other.

The Counsel for the Defendant objected to the former Question being put by the Managers for the Commons.

Q. (*by Managers*). Did a Person called Nundcomar appear before the Council; and was he examined, and to what Points?

The House informed the Managers for the Commons it was impossible to put that Question, after the Witnesses had said there was no Transaction at that Time but what was reduced into Writing.

Q. After Mr. Hastings left the Council on the 13th Day of March 1775, was any Proceeding continued before it?

A. After Mr. Hastings left the Council, which I think was on the 13th of March, there were Proceedings.

Q. (*by a Lord*.) And they were also taken down in Writing?

A. And they were also taken down in Writing.

Q. (*by Managers*.) Whether among those Proceedings a Letter from the Munny Begum was not delivered in, mentioning certain Circumstances tending to prove that Mr. Hastings had received a Bribe from her of Two Lacks and a Half of Rupees?

The Counsel for the Defendant objected, that the Letter would speak for itself, and that parole Evidence could not be given of its Contents.

Then the Witness was directed to withdraw.

Then the Managers for the Commons desired a Letter from Mr. Hastings to the Court of Directors of the 25th of March 1775 might be read, to shew that though he had entered into a minute Defence against every other Charge alledged against him at that Time, he had not taken the least Notice of the Letter of the Munny Begum delivered in by the Rajah Nundcomar.

Read, from Book 177, already delivered in, the following Extract of a Letter from Mr. Hastings to the Court of Directors, dated 25th March 1775.

" Honourable Sirs,

" I have the Honour to send you a Triplicate of my Address of the 10th of January, a Duplicate of my last, and Observations on the Minutes sent by the Gentlemen of the Majority to your Honourable Court, with the last Dispatches.

" The various and accumulated Attacks which have been made upon me by my Adversaries exceed my Abilities, and the narrow Compass of my Time, to repel them by that circumstantial Mode of Defence which I have made Use of in my former Addresses.

" I beg Leave to recall to your Attention the original Points of Controversy which formed the Subjects of our First Appeals. These were, on their Part, a Condemnation of the Rohilla War, a Justification of their Resolutions for the Recall of the Brigade, and the Dismissal of my publick Agent from his Appointment at the Court of the Vizier Sujah Dowla; and on mine, a Vindication of that War, and a Protestation against their Resolutions.

" Not trusting to their Strength on this Ground, they shifted the Scene to the Treaty of Benaris, which they endeavoured to decry, and I have defended.

" Their next Attack was on the Management of your Collections and Finances. Those were represented as in a State of irretrievable Ruin, and these exhausted; with what Truth you will judge from the Accounts, which supersede all Argument.

" On the Points I have fully replied; and it rests with you to determine on the Justice of the Charges, and my Defence. Neither my Judgement nor my Conscience will allow me for a Moment to dissent from the Issue of your Decision.

" The Contests between the Majority and me were confined to Subjects of a public Nature, and my Conduct and Character, my Credit at Home, and my Influence here, were not the Objects of them. Perhaps even these Retrospections were foreign from the Design of the Constitution of this new Government, invested with such extended Powers, and of such vast Importance to the British State. I have long ago, in my Letter to the Honourable Court of Directors, dated 11th November 1773, offered to you my Opinion of their Effects, and it was impossible for me to foresee the present Occasion for the Application of it. The Measures of the Majority manifestly shew, that their Aim was either by continual Prosecution to throw up my Seat, and leave them the sole uncontrolled Masters of the Administration, or by annihilating my present Influence, to render me a Cypher in it; and by representing the Measures of my former Administration as universally tending, and even calculated for the Ruin of your Interests, and the national Honour, in this Country, to effect my removal by a superior and legal Authority.

" The ruling Principle and Spring of all their Actions is fairly but rather unguardedly explained in their first Letter of Appeal, in the Declaration, " That the Justification of their Conduct must of Necessity carry with it, and could only be supported by a strong and deliberate Censure of the preceding Administration." I have admitted the Truth of this Proposition, in the Application of it, to such of their Measures as are directly contradictory of * those of the preceding Administration, but I will not allow it to be either just or fair, applied to Measures with which these have no Relation; but it is a powerful, though trite, Policy, to which the unthinking Part of the World have too often been the Dupes; to such let them address themselves; I trust that my Cause will be decided by other Judges.

" The subsequent Transactions have not even the Pretext of a public Object, but are directly and openly levelled at myself. The Ground is popular, and calculated to the Temper of the Times; and whatever be the Issue of them, there are Thousands on whom the bare Allegations will fix an indelible Impression.

" On the 10th instant an English Letter, containing English Accounts, was brought to the Board, in the Name of the Ranny of Burdwan, by a Servant of Mr. Joseph Fowke, charging me personally with having received the Sum of 15,000 Rupees as a Present from Dewan Bridjoo Kishore Roy.

" On the next Day a weightier Charge was delivered to the Board, in the public Department, through the Hands of Mr. Francis, from Maha Raja Nundcomar, of various Presents having been received by me, which, on the most probable Estimation of the indefinite Sums, added to those which are particularly specified, must have amounted to many Millions of Rupees.

" The Proceedings of the Board, and of the Majority continued by their own Authority, on those Accusations, will be found at large in the Consultations of the 10th, 11th, 14th, and 17th instant, in the Revenue Department, and of the 11th, 13th, and 20th, in the Public Department. I beg Leave to refer to these Records, as I think it necessary that you should have the most complete as well as the most authentic Information of the Subject.

" Those relating to the Allegations of Raja Nundcomar have been committed to the Hands of your Attorney, for the Purpose of commencing a Suit at Law against me, in the Name of the Company, for the Recovery of the Sum said to have been received by me from Munny Begum in the Year 1772; I reserve my Defence for the same Channel, not chusing to give my Adversaries an Advantage by anticipating it, nor to bespeak your premature Judgment on a Cause thus depending. I do not mean to restrict myself solely to this Mode of Defence; let the Law have its

its Effect, and I am willing, and I shall be proud to submit all my Transactions, of what Nature soever, to your Justice, in any Way or Form which you shall prescribe. In the mean Time, I beg that you will suspend your Opinion upon my Conduct, except in those Parts of it on which you have complete Materials to decide, and in which your earliest Decision is required; in this Decision the Conduct of my Opponents must necessarily be involved.

" A combined and declared Majority of the Council have stood forth as any Accusers; I appeal for the Truth of this Assertion to the whole Tenor of their Conduct since their Arrival in this Country, and to the undoubted Evidences which appear on the publick Records of the last Fifteen Days Consultations, that these Gentlemen are themselves Parties if not the Principals, as, in my Heart, I believe them to be, and such the World esteems them; and the Ranny of Burdwan and Raja Nundcomar little more than Instruments and ostensible Agents in the Accusations professed by them against me.

" Whether considered as my Accusers, or as joint Members of the Administration, I still retain the Right to erect themselves into a Tribunal to try my Conduct; nor should any Consideration avail upon me to subject myself to such a State of Humiliation.

" As little do I judge it consistent with my own Honour or your Interest, to expose the Affairs of this State to be personally arraigned at the Council Board, and exposed to the Contumacious and unbecoming Practices of a Mischance like Nundcomar. Had the Majority been disposed to accept of the Proposition of appointing a Committee for prosecuting their Enquiries, either into the Conduct of the Administration, they might have obtained the same Knowledge and all the Satisfaction which they could have expected from an Inquisition taken by the Board at large; such Proceedings would have had the Appearance, at least, of Regularity, and my Credit would have been preserved. The only Point which they could possibly gain by persisting in bringing forward their Accusations, was to gain a publick Triumph over me, and to expose my Error and Weakness in the Administration.

" Reduced to this Extremity, and supported only by a single Member, the Board, whose Behaviour and Reasonings on this Occasion will I trust do him Honour, and whose Conduct they availed but little against a precombined Resolution, I had no Alternative but to submit to the Indignities offered me, or to make use of the Authority which the Constitution of your Service has vested in the President of your Council, and which was now dissolved. My Declaration had no Effect with them, nor did I expect it should. I was to determine whether in the Instance I usurped, (or to speak more properly, whether I attempted to which I had no lawful Claim, or whether I am justified by the ancient Constitution of the Service, and by the Necessity of the Case, in that Resolution. This was fully discussed in the next Day's Consultation at the Revenue Board, and a Resolution was passed by the Majority in favour of the Practice which they had already begun. I am bound by my Oath to those which appear in my Minutes upon this Question to prove the Justice of my Claim: I trust they will be found conclusive in point of Fact, and am confident that the Reasonableness of this Power, and its Necessity in various Cases, will not escape your Notice. Without it a prevailing Faction in the Council might have it in their Power at any Time to interrupt and obtrude Business on the Board, for which the other Members were unprepared, and they would have Opportunities of imposing such Indignities upon their President, as he could not but have a Resignation of his Office and of the Service. In such Cases the only Remedy seems to be, that the Power which summoned the Meeting should dissolve it, and this surely could not be more properly exercised than in the present Instance, when not only new Matter was attempted to be introduced foreign from the declared Purpose of calling the Meeting, but even a personal Indignity and wanton Triumph over my Weakness in the Administration were prepared for me.

" My Adversaries will doubtless alledge, that whatever was the Constitution formerly in this Respect, such a Privilege does not now exist. I have carefully examined this Point; I find no Alteration expressed in the Act of Parliament in respect to the Powers of the internal Constitution of the Council, except One single Point, namely, that in the old Council the First Member was styled President, a Title specifically including him in the Number of the Council, and assigning him only the First Seat in it; and in the new Establishment he is dignified by a higher and exclusive Title, and, in a Manner, separated from the other Members. How far the Wisdom of the Legislature meant by this Distinction to extend the Privileges of the Chief of this Government is not for me as present to enquire; but surely it is conclusive as to their Intention of neither diminishing nor abrogating the inherent Rights of the former Chiefs, unless specially taken away by other Clauses of the Act. Besides, I even find in the Act itself, a positive Declaration that the Rights of the Governor General and Council shall remain to them in like Manner, to all Intents and Purposes, as they were at any Time before exercised by the President and Councils. I may err in this Construction, and suffer a Subject, too nearly allied to my Feelings, to impose on my Judgement; but I am confident, whatever may be the Opinion as to the Right, that with you, Gentlemen, and with all wise and moderate Men, nothing will justify the Intemperance of my Opponents, who compelled me, by every Circumstance of useless and indecent Provocation, to fly to such an Expedient as the only Means of saving me from personal Insult.

" You will observe the Attempts that have been repeatedly made by the Majority to compel the Attendance of my Two principal Servants before them. In this Instance also I presume to affirm,

affirm, that they acted without a Precedent, and without any legal Authority. To those who know the Custom and Manners of the Country, this will be considered as an Outrage offered directly to myself, and, whatever Colour may be given to it, I believe there is not a Man in this Place that looks upon it as intended for any other Purpose; if it were possible to ascribe it to any other, the Behaviour of General Clavering at the public Council Board on the 20th would have put it beyond the Possibility of a Doubt.

“ Again, I beg Leave to refer you to the Perusal of the Consultations upon these Subjects, of which I wish that not a single Word should escape your Observation.

“ Although I have declined entering, at this Time and Place, into a Refutation of the Accusations which have been preferred against me, in the Names of Nundcomar and the Ranny of Burdwan, yet I do not think it proper to pass them wholly unnoticed.

“ You are well informed of the Reasons which first induced me to give any Share of my Confidence to Nundcomar, with whose Character I was acquainted by an Experience of many Years. The Means which he himself took to acquire it were peculiar to himself. He sent a Messenger to me at Madras, on the first News of my Appointment to this Presidency, with pretended Letters from Munny Begum and the Nabob Yeterâm o’Dowla, the Brother of the Nabob Jaffier Ally Cawn, filled with bitter Inveclives against Mahomed Reza Cawn, and of as warm Recommendations, as I recollect, of Nundcomar. I have been since informed by the Begum, that the Letter which bore her Seal was a complete Forgery; and that she was totally unacquainted with the Use which had been made of her Name till informed of it by Juggut Chund, Nundcomar’s Son-in-law, who was sent to her, expressly to intreat her not to divulge it. Mr. Middleton, whom she consulted on the Occasion, can attest the Truth of this Story. I have not yet had the Curiosity to enquire of the Nabob Yeterâm o’Dowla, whether his Letter was of the same Stamp, but I cannot doubt it.

“ The Promise, which he says I made him, that he should be constituted Aumeen, that is, Inquisitor General over the whole Country, and that I would delegate to him my whole Power and Influence, is something more than a negative Falsehood. He did Once or Twice intimate to me a ~~man~~ of the Kind, but with so little Success that, for a while, he wholly dropt it. On Mr. Reed’s Return from the Coast, where he had been on Leave of Absence, Nundcomar made his Application to him for the same Employment, hoping through his Influence to obtain it. Mr. Reed, deceived by his Suggestions, brought the Proposition before the Board, and supported it with Warmth; but it was rejected. The Manner in which this Matter was then introduced, contains striking Proofs of the incendiary Character of the Man; and the Proceedings will shew the Grounds on which the Proposition was rejected.

“ For the Enquiries which were made into the Conduct of Mahomed Reza Cawn and Raja Shitabrôy, I beg Leave to refer to the Proceedings themselves, in which every Voucher and every Evidence that I could obtain from Nundcomar are recorded at length, and you will yourselves be the best Judges of the Diligence which was exerted by me in the Prosecution of them. Mahomed Reza Cawn, who was brought to Trial by your express Commands on formal Charges exhibited against him, was confined under a Guard of Sepoys, from April 1772 to June 1773. Shitabrôy, although there had not been any express Commands received from you concerning him, was in like Manner confined from May 1772 to June 1773; and the most public Notice was given with respect to both, that every Complaint against them would be heard and strictly tried.

“ The Reasons for appointing a native Officer at the Head of the Khalsa, and the particular Reasons which induced the Committee to make Choice of the Son of Raja Doolubram for that Office, appear on the Records of that Time.

“ I recollect an Information given me by Nundcomar, concerning the pretended Usurpations made by the Rajah of Benares of the Pergunnahs of Keera, Mungrore, and Bedjygar, on the Province of Bahar, but at a much more distant Period of Time than Nundcomar has asserted; I do not recollect his mentioning it again when I set out for Benares, neither did I ever intimate the Subject either to Cheyt Sing or his Ministers, because I knew I could not support the Claim, and to have made it and dropped it would have been in every Sense dishonourable. Nor that I passed by it with Indifference or Inattention; I took Pains to investigate the Foundation of this Title, and recommended it to the particular Enquiry of Mr. Vansittart, who was the Chief of Patna at the Time in which I received the First Intimation of it. The following Letter and Voucher, which I received from him, contain a complete State of this pretended Usurpation.

‘ Extract of a Letter from George Vansittart Esquire, Chief at Patna, to the Governor, dated the 25th September 1772.

“ When I was at Moorshedabad you mentioned a Report of a Pergunnah’s having been alienated from this Province, and given by Shitabrôy to Raja Bulwant Sing.—I asked you, If you meant Bejugar or Choufa. You said, No. Neither of these was the Name. That the Place you meant was somewhere in the Neighbourhood of Rotas.—Since my Return hither I have been making particular Enquiry, and I imagine Mungrore must be the Pergunnah you spoke of, but it is not in the Neighbourhood of Rotas: It belongs properly to Shawbad, and is situated not far from Banaris.

Banaris. It paid its Revenue to this Province till 1085, or 1677. In 1086 it was all given away to Jagheedars, and the Bahar Government has never since received a Rupee from it. About Eight Years ago Meer Jaffier made a Present of it to Bulwant Sing, to whom it was confirmed by Lord Clive and * Carnac; and he afterwards procured Sunnuds, as an Altungau, from the King and the Vizier.—Inclosed are Copies of these several Papers.

اندر
* Sic in Orig.

“ Memorandum of a Sunnud and Firmaun, from the beginning of the Month Shâbaan, in the Eighth Year of the Reign of the King Shaw Allum.

“ The Sum of 16,80,083 Daums on the whole Pergunnah of Mungrore in the Sircar of Shâhabâd in the Subah of Bahar, the Revenues of which amount to 50,000 Rupees and upwards, is granted, agreeably to the Zimmum, from the latter End of Rubby ul Owel, as a free and unconditional Gift to Rajah Bulwant Sing, and to his Heirs, without the Association of any other Person, and with an Exemption from the Payment of all Customs.

“ The Contents of the Zimmum.

“ The Whole of the Pergunnah of Mungrore, in the Sircar of Shâhabâd, in the Subah of Bahar, is granted as a free and unconditional Gift to Raja Bulwant Sing and his Heirs, Tanca 16,80,083 Daums, Jumma of the Pergunnah 50,000 Rupees and upwards.

“ Copy of a Perwannah under the Seal of the Vizier ul Mulk Sujah ul Dowlah Bahadre Sufdur Jung, from the 29th of Shâbaan in the 8th Year of the Reign of his Majesty Sha Allum, agreeably to the above illustrious Firmaun of the 15th of Shâbaan, in the 8th Year of the Reign, the Sum of 16,80,083 Daums on the whole Pergunnah of Mungrore, the Revenue of which amounts to 50,000 Rupees and upwards, with an Exemption from the Payment of all Duties from the Middle of Rubby ul Owel, agreeably to Zimman, is granted as a free and unconditional Gift to Raja Bulwant Sing Bahadre, and to his Heirs.

“ Contents of the Zimmum.

“ The Tunca, as a free Gift and Donation to Rajah Bulwant Sing, on the whole Pergunnah of Mungrore, in the Sircar of Shahabad, in the Subah of Bahar, 16,83,083 Daums; the Revenue of the said Purgunnah 50,000 Rupees.

“ Copy of a Sunnud from Meer Mahomed Jaffier Cawn Bahadre, written the 20th of Rujjub, in the 5th Year of the Reign of His Majesty Shah Allum.

“ In Consideration of the Attachment and Services of the High and Mighty Raja Bulwant Sing Bahadre, the Revenue of 16,80,083 Daums in the Pergunnah of Mungrore, with the Phoudarry and other Duties usually paid to Government, are remitted to him, and given for his own Emolument, that he may be always ready to protect that Quarter. Dated as above

“ Copy of the Treaty under the Seals of the Nabob Sabut Jung (Lord Clive) and General Carnac Bahadre.

“ In the Fifth Article of the Treaty between the Nabob Sujah ul Dowlah and the Nabob Nudjum ul Dowlah Bahadre, Nizam of the Soubah of Bengal and Bahar, and the English Company, which was acceded to by His Sacred Majesty, and signed and sealed by the respective Parties, the Affair of Rajah Bulwant Sing is mentioned as follows:

“ Article the 5th. Rajah Bulwant Sing shall be established and continued in the Zemindaries of Benaris, Gauzipore, and also the other Districts which he possessed at the Time he entered into Alliance with the Nabob Meer Jaffier Khan Bahadre and the English, upon Condition of his paying the same Revenues as heretofore.

“ Memorandum of Particulars relating to the Pergunnah of Mungrore, extracted from the Records.

“ From the Records of the Year 1085, it was annexed to the Khalfa Shercefa. In the Year 1086 till the Year 1136 Fullally, the Whole of the Purgunna was relinquished to Jagheedars.

“ In the Year 1140 Three Lacks and 5,000 Daums reverted in Charge to the Nizamut, and remained as a Deposit till the Year 1142, and were annexed to the Caboleat of Shâhabâd; the remaining Sums continued under the Jaghedars.

“ From the Year 1143 Fullally to the Year 1170, the Records of the Whole of this Purgunnah were re-annexed to the Nizamut.

“ From the Year 1171 Fullally, in the Records of the Nizamut, it was considered as separated from the Authority of the Nizamut. It appeared that Rajah Bulwant Sing had obtained a Sunnud for the whole Purgunnah as an unconditional Gift, and was in Possession of it. The Sunnud is not in the Records.

“ A true Translation.

“ (Signed) J. H. D'Oyly,
A. P. T.”

" The Reasons which prevailed on the late Board to grant the Purgunnah of Bahbund to Cantoo Baboo my Servant, will appear in the Consultations of the 12th and 19th of July 1774, in the Revenue Department; to those I refer. You will find that this is not a Part of the Zemindarry of Ranny Bowanny, nor ever in her Possession, but a Mahl or District depending immediately on Government, and lying on the Frontier of the Province; that no Kind of Indulgence was shewn to my Servant in this Grant, but an Advantage provided for Government by the Peshkush, or Fine to be paid, and by the Security which the Collections of it would naturally derive from being in the Charge of a Man of Business and Property.

" The Sunnud was never granted, though ready drawn up, and in my Possession, from the Time of the Order of Councils, nor of Course the Peshkush paid, because I chose to defer the Confirmation of it till the Assembly of the new Council.

" The Majority, in their separate Meeting of the 17th instant, have thought proper to deprive Cantoo Baboo of this Grant, for Reasons which they are yet to seek. One, indeed, they have assigned; namely, that the Person in whose Name it was granted was described as a Man of Credit and Property, but proved, on Enquiry, to be a Boy of Ten Years of Age. You, Gentlemen, need not be told, that it is the constant Practice of the Gentoos to register all Deeds and Contracts, and apply for all Grants in the Names of their Sons: Locknaut Nundee, the nominal Zemindar, is the Son of Cantoo Baboo, whom the Board intended by the above Description.

" As to the Charge of withholding from Nundcomar a Palakeen which he lays Claim to, I am ashamed to reply to so futile an Accusation. The Enclosure, N^o 2, delivered to me by Mudgelis Roy, the Vakeel of Rajah Shitabrôy, contains all that I know of this Affair; except that the Palakeen is in my Possession, as I am told, for I have never seen it.

" The Appointment of Munny Begum to the Management of the Nabob's Household, and of Rajah Goordafs, and the other Relations and Dependants of Nundcomar to the Dewanny and subsidiary Offices of the Nizamut and Behla, took Place in the Month of August 1772. My Motives in these Arrangements have been already fully explained to you in the Minutes of the Committee of Circuit, and the General Letters of that Year, and in my Address to your Secret Committee, dated the First September.

" I believe there is scarce a Man in Bengal who does not now commend my Choice of Munny Begum for the Trust assigned her. I believe there were few to whom the Distinction which was shewn by me on that Occasion to the Family of Nundcomar, did not afford Matter of much Astonishment, as his Character was known to all, and my Opinion of it to all who knew me.

" You have been pleased to honour me with your Approbation of every Part of this Transaction.

" Foiled in all their repeated Attacks upon me, my Adversaries have Recourse to the Charge of Rapacity; a Charge of all others the most foreign from my Nature. I do not assert this on the empty Credit of Self-Presumption; neither my general Character, Circumstances, nor Conduct in Life, before my Appointment to this Government, are unknown to many of your Honourable Court; and a slight Review of my Measures since that Period, will manifest how little they have been guided by an Attention to my private Interest.

" I beg Leave in this Place to make one short Observation upon the Right claimed and exercised by the Gentlemen of the Majority to examine Persons before them on Oath, even in Accusations against the Parties themselves. This you will find to have been practised with Bridjo Kishore, in their Proceedings held after my Departure, on the 14th instant, in the Revenue Council Chamber; and on the 17th instant Sentence was formally passed against him by the same Gentlemen, expressly grounded on his Answers to the Questions which had been proposed to him. Thus to extort from a Man Evidence against himself, is so directly contradictory of the fundamental Principles of Justice, that it requires no Comment. Several other Persons also were examined by them on the 14th, and put to their Oaths; a Measure which has an immediate Tendency to the Subversion of Justice. The Inhabitants of this Country, from the Nature of their Education, from the Form of their own Government, and from the Timidity of their Dispositions, are equally incapable of bearing up against the Frowns of Power, and of resisting the Allurements attendant upon it. Thus called before a settled Majority, the Violence of whose Measures has filled the Country with Alarm, they will naturally give Evidence as Nundcomar may have told them is expected; and having once done so, they are tied down to support it, whether true or false, when legally summoned before the Supreme Court of Judicature.

" I have the Honour to be,

with the greatest Respect,

Honourable Sirs,

Your most faithful

and obedient humble Servant,

Warren Hastings." (a)

Fort William,
the 25th March 1775.

(a) Vide Appendix, N^o CVI.

Read, from Book 10 already delivered in, the following Extract of a General Letter from the Governor General and Council to the Court of Directors, dated at Fort William, the 24th March 1775.

Par. 16. " On the 11th instant a Letter was delivered in to the Board from Maha Rajah Nundcomar, wherein he charges the Governor General with sundry Malversations, in the Course of his Administration as President of the late Government, and with having received several Sums of Money from Munny Begum, and from himself, for Favours bestowed on them through his Influence. A Copy of this Charge was ordered to be delivered to the Governor General immediately.

17. " A few Days afterwards Rajah Nundcomar addressed the Board for Permission to appear before them to make good his Charge, which was objected to by the Governor and Mr. Barwell. The Debates on this Point will be seen at Length on the Consultations." It was resolved by the Majority that he should be called in, and on this Resolution the Governor General declared he dissolved the Council, and withdrew; Mr. Barwell followed him, a Vote was then passed, that General Clavering should take the Chair.

18. " As we look upon this Point to be of the most serious and important Consequence, we intreat your most attentive Perusal of the Debates upon it, and that you would favour us with your Decision as speedily as possible on the Subject. Where our Opinions are so wide, and the Council so nearly divided as to Number, we think it necessary to adhere strictly to the Line laid down at first for our General Letters to mention the Facts simply, referring you altogether to the Consultations for the Arguments on each Side.

19. " For the more Certainty of conveying to you the Intelligence of this Transaction, we have resolved to dispatch a Letter express over Land on that Subject only, and requesting your Decision upon it.

20. " On the Governor General's withdrawing, Rajah Nundcomar was called in before the Three remaining Members, then constituting the Board, and examined on the Subject of his Letter. He gave a positive Declaration as to the Sums which he had himself paid to the Governor General, and gave in the Names of several Persons, who, he said, were privy to the Transaction; he also delivered in a Letter addressed to him under the Seal of Munny Begum, expressing the Circumstance of the Governor's having received Two Lacks of Rupees from her. It was thought necessary to authenticate the Seal and Letter, by comparing them with others from the same Person, in Presence of the Persian Translator and his Moonshee, who declared the Seal to be that of Munny Begum. On this Evidence, the Board called on the Governor to refund the Sums he had so acquired, and pay them into the Company's Cash. The Secretary was accordingly ordered to wait upon him with their Demand, to which the Governor, declining to acknowledge the Authority of the Board then sitting, refused to give an Answer.

21. " It is fit to mention, that the Board had before sent the Secretary to wait on the Governor General with their most respectful Compliments, to acquaint him that Nundcomar had withdrawn, and to request that he would return and resume the Chair; but to this the Governor General replied, that having dissolved the Council, he could not acknowledge the Gentlemen then sitting in that Capacity, and that it was too late to summon a new Council for that Night.

22. " The Board had also thought it necessary to require the Attendance of Cantoo Baboo, the Governor's Banyan, who, as Nundcomar on his Examination informed the Board, had applied to him, in the Name of the Begum, for the Original, or a Copy of her Letter, in order to ascertain that Fact; but Cantoo Baboo refused to obey the Summons, alledging that the Governor detained him, and that he would attend when the Council should be complete. The Governor General has since avowed his Orders to Cantoo Baboo not to obey the Summons, and Cantoo Baboo, who has since appeared before the Board, has been deemed guilty of great Indignity to their Authority, and it is yet in Deliberation what Punishment shall be inflicted on him for the Contempt.

23. " We have sent a Copy of the whole Evidence delivered in by Nundcomar to our Attorney at Law, that he may take the Advice of Counsel, in what Manner it will be most proper to proceed for the Recovery of the Sums specified from the Governor General for the Company's Use.

" Signed (at the End)

Warren Hastings,
J. Clavering,
Geo. Monton,
Rich^d. Barwell,
P. Francis."

The Managers for the Commons stated, That they offered the Letter last read as new Ground to introduce the Proceedings of the 13th of March 1775, after Mr. Hastings left the Council.

The House informed the Managers for the Commons, that the Letter carried the Matter no further than before.

Read, from Book 7, already delivered in, the following Extract of a Consultation of the 3d of April 1775, beginning at Page 1658 of the same Book.

“ Fort William, the 3d April 1775.

Secret Dept.
Monday.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General John Clavering,
The Honourable George Monson,
Richard Barwell, } Esquires.
Philip Francis, }

§ [“ The next Day, being the 14th, the Council being assembled in the Revenue Department, a like Motion with that of the preceding Day was made by General Clavering, that Bridjoo Kiffore Roy and Roopnarain Chowdry, who was the principal Agent in the Accusation preferred by the Ranny of Burdwan, should be called before the Board, for the like Purpose of enquiring into those Accusations. I objected in like Manner; and repeated my Proposition that a Committee should be formed for these Enquiries, but without Effect. I again declared the Meeting dissolved, and left them. Mr. Barwell did the same.

“ On the 17th a Council was summoned at their Request, for special Purposes expressed in their Requisition. I met them. Mr. Barwell did not attend.

“ Instead of proceeding to the Business for which they had been expressly assembled, a Motion was immediately made by General Clavering, and supported by the other Members, that Cantoo Baboo and Kishen Chattije, my principal Servants, should be called before them, for the Purposes of questioning them concerning a supposed Contempt shewn to the Authority of the Board, in having refused to obey the like Summons sent to them by the Majority in their preceding Meetings held after my Declaration of their Dissolution, and of supporting the Authority of the Board. As I had Cause, from the Terms of the Motion, from the Violence of their former Proceedings, and from their Refusal to give me the Assurance, which I demanded of them, of the personal Safety of my Servants, if they appeared before them, to apprehend some disgraceful Treatment of these Men, which in the Eyes of the People of this Country would have been equal to the greatest Personal Indignity offered to myself, I, after repeated Remonstrances, again proceeded to the last, but ineffectual Resource which was left me, and a third Time declared them dissolved.]

§ (“ How far I was justified in my Suspicion of the Violence which might be intended to be offered to the Persons of my Servants, will best appear from a Motion which was actually made by General Clavering at the Public Council Board, on the 20th instant, to inflict a Punishment on my Servant Cantoo Baboo, to which none but the meanest of the People were ever sentenced, that he should be put into the common Stocks.”)

“ Signed, at the End of the Minute,
Warren Hastings.

“ And at the End of the Consultation,
Warren Hastings,
J. Clavering,
Geo. Monson,
R. Barwell,
P. Francis.” (a)

To prove that Mr. Hastings was not at any Time required to be present at the Enquiry into his Conduct relative to the Receipt of Three Lacks and a Half of Rupees, but was left to his own Option to be present or not on that Occasion,

Read, from Book 210, already delivered in, the following Extract of a Consultation of the 14th of March 1775, beginning at Page 1044 of the same Book.

“ Fort William, the 14th March 1775.

Rev. Dept.
Tuesday.

“ At a Council; Present,
The Honourable Warren Hastings, Governor General, President;
Lieutenant General Clavering,
The Honourable Geo. Monson,
Richard Barwell, } Esquires.
Philip Francis, }

§ General Clavering's Motion. (“ General Clavering,
“ I move that Roopnarain Chowdry may be called in; and that Bridjoo Kiffore, if he is not here, may be sent for; and that they may be brought Face to Face in Council to produce the Ac-

" count mentioned in the Ranny's Letter of the 10th instant, in order to have the Account N^o. 3, authenticated.

" Governor General.—I beg Leave to remark before the Question is put, that the Ranny has declared that she had the Paper now called for ready to be sent to the Board whenever it should be required; the Selection of the Paper N^o. 3, from the rest of the Papers transmitted by the Ranny, appears to me in the same Light with the other Motions lately made of imposing a personal Indignity on me: This being the Paper which is directly levelled at myself, I have already proposed to the Board to conduct Enquiries of this Kind in Committee. It will answer the same Effect; and to insist on my being present, can only serve the Purpose of insulting me, and of rendering my Authority still weaker and more contemptible in the Eyes of the People, than they have already done it. I have already declared that I will not submit my Conduct to your Judgement; I have already declared that I regard you as Parties in my Accusation; therefore unfit to be my Judges; and I now declare that on every Occasion in which I think proper to reduce me to such a Necessity, I will break up the Council. If you think proper to carry on any joint Proceedings, by an Authority of your own, I am not bound, but I protest against it." § I must further beg Leave to remark upon the Question. The Ranny has desired that Roopnarain Chowdry and Bridjo Kiffore be brought Face to Face before Council, and she says it will then be seen if Bridjo Kiffore has his own Hand-writing. By this I should understand it to be her Intention that all the Papers should be shewn to Bridjo Kiffore for his Acknowledgement; but the General has refused the Request of the Ranny a Proposition of his own as the Proposition of the Ranny, but neither expressed or implied in her Request.

" General Clavering.—The Account containing the several Sums alleged in it to have been given by Bridjo Kiffore to the Governor Mr. Hastings, and to the other Gentlemen in Council, is, as I understand, that original Account which the Governor General demanded the other Day, and from which the English Account is a Translation. It appears to me absolutely necessary for the Governor General's Honour, that this Account may be authenticated in the most exact and authentic Manner; and if it shall appear, as I hope it will, that the Account is a supposititious one, framed purposely to calumniate the Governor and the late Administration, I shall be the first to propose that all the Persons who may be proved to have been the Authors of such a Forgery, may receive every Punishment the Law can inflict upon them.

" Governor General.—I am sorry to repeat again, that the General does not understand the Question I repeatedly put in so many Forms on Saturday. This cannot be the Account I demanded; the Papers I demanded were many: If this is amongst them, let it be produced, I have no Objection to it; but this is not the Question before the Board. The Question is, Whether Bridjo Kiffore and Roopnarain Chowdry shall be brought Face to Face to authenticate the Accounts of the former.

" Mr. Francis begs Leave to put a Question to the Board before General Clavering's Question is resolved on.—My Question is, Whether this Board can legally be dissolved or adjourned by the sole Authority of the President, against the Consent of a Majority of the Members present?

" Mr. Francis.—I think it cannot.

" Mr. Barwell.—It has ever been customary and usual, and I find no express Interdiction of the Usages that have prevailed, either in the Company's Instructions, or the Letter or Spirit of the Act of Parliament. The Power of assembling the Council, I conceive, exists in the Chair: The Power of breaking it up of course, I understand, rests in the same Station. I cannot possibly suppose that any Cause, but such a personal one as may compel the Governor, through Necessity, will induce him to adjourn the Board; and, I think, when any such Cause does prevail, the Business and Interest to which our Attention should be directed, is departed from. The End proposed from our assembling not being likely to be answered, the Governor General will stand fully acquitted for adjourning the Board. I do not speak at all to the Powers under which the Members of this Board act, nor will I be led to pass any Opinion upon them. Whenever the Interests of the Public require my particular Attention, I shall communicate those Points to the Knowledge of the Governor General, who will take such Measures, with the Concurrence of his Council, as he may think the Object merits. Without the Governor General's Authority in a public Call for my Attendance at the Board, it will be in my Option to partake or not in the Councils of the three other Members. It is my Duty to communicate with them; but I shall deem all such Communications as irregular and unwarranted, and shall therefore look upon them in a private Light, to be subsequently introduced in a more regular Form.


" The Honorable Mr. Monson.—I think the Governor-General may assemble the Council as often as he shall think proper, but that he must do it twice a Week, or at the Requisition of a Majority of the Members. I do not apprehend the Dissolution of the Board to be in the Governor General solely; the Question of Adjournment should be first put, and if carried, that Meeting is dissolved; for if the Authority of summoning and dissolving the Council was with the Governor-General only, his Power would be absolute and despotick, and the Means of conveying Information to our Employers totally precluded.

General Clavering's Opinion.

Governor General's Opinion.

Francis's remark.

Governor General dissolves the Council.

" General Clavering.—I agree with Colonel Monson, for the Reasons he has so properly urged.] 

" Governor-General.—I have already given my Opinion upon this Subject in my Answer to the Question proposed by Mr. Francis, and in the Minutes of the Board in the other Department of Yesterday, and repeat it now, that the Board have no Authority unless summoned by myself, or when the Meetings of the Board are formally dissolved by me. Arguments drawn from the Practice of other Assemblies cannot apply to this. In Instances in which other Assemblies are summoned for Business by any of their own Body, it is in consequence of some positive Law or established Usage. No such Law or Usage has ever prevailed in this Government. A Majority of the Members of the Board have asserted a contrary Opinion; but I conceive it to be useless to collect Opinions on a Subject of this Kind. The Majority may continue to sit by their own Authority, as they did before the Opinions were collected; I will not sit with them, nor acknowledge their Proceedings to be legal. Once more, however, let me repeat the Proposition which I have already made, that any Examinations which have my Conduct for their Object, may be taken by a Committee of the Board. You may certainly obtain by this Means all the Satisfaction which you can receive in a Meeting which I cannot acknowledge to be lawful, and at which I cannot be present. If you have the Honor of your President at Heart, which you have repeatedly, and too repeatedly declared, at a Time in which you are wounding it in the most essential Manner, you will acquiesce in this Proposition; if you reject it, the Court of Directors, and those to whom these Transactions will be made known, may judge of your Motives." §


" Mr. Francis.—I think it very necessary that the Court of Directors should be informed, that no Member of this Board, to my Knowledge, has ever expressed a Wish, that the Governor-General should be required to give his personal Attendance at the Board, in any Case in which it would be personally disagreeable to himself to do so.

" The General's Question being read again, Mr. Francis agrees to it.

" Mr. Barwell.—As the Governor has Objections to Bridjoo Kiffore and Roopnarain Chowdry being called before the Board, I think they ought not to be called; I see no particular Purpose that it will answer, as any Charges exhibited are in Writing, and the Party can reply to it in Writing. If it is merely for the Purpose of certifying a Paper, I think that Bridjoo Kiffore may be called for to the Council House, and the Secretary go to him in the adjoining Room, to ask him the simple Question, Whether the Paper is authentic?

" The Honourable Mr. Monson, } are for the Question.

" General Clavering,

" Governor-General.—I am against it. I think it my Duty to declare, that I dissolve the Meeting of this Board. If the Members continue to sit, I shall not acknowledge their Proceedings to be legal.] 

(Signed at the End of the Consultation)

J. Clavering,
Geo. Monson,
P. Francis." (a)

Then the House adjourned to the Chamber of Parliament.

(a) Vide Appendix, N° CXV.



